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611
B I L L S,

PUBLIC:

EIGHT VOLUMES.

—(8.)—

SAVINGS BANKS

TO

WOODS, FORESTS, &c.

Session

31 *January* — 15 *August* 1850.

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VOL. VIII.

1850.

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1850.

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A T A B L E, A N D I N D E X,

OF THE

PUBLIC GENERAL ACTS

Passed in the Third Session of the 15th Parliament of the United Kingdom
of *Great Britain and Ireland*.

13° & 14° VICT.—31 *January*——15 *August* 1850.

T H E T A B L E.

13° & 14° VICT.

CAP.

Royal Assent.

I. AN ACT to amend an Act of the last Session, for making Provision for the Collection of County Cess in *Ireland*, and for the Remuneration of the Collectors } thereof - - - - - } (22 *February*.)

II. AN ACT to restrain Party Processions in *Ireland* - - - - - (12 *March*.)

III. AN ACT to apply the Sum of Eight Millions out of the Consolidated Fund to the Service of the Year One thousand eight hundred and Fifty - - - - - (25 *March*.)

IV. AN ACT for requiring the Transmission of Annual Abstracts of Accounts and Statements of Trustees or Commissioners of Turnpike Roads and Bridges in *Ireland* to the Lord Lieutenant to be laid before Parliament - - - - - (25 *March*.)

V. AN ACT for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters - - - - - (25 *March*.)

VI. AN ACT for the Regulation of Her Majesty's Royal Marine Forces while on shore - - - - - (25 *March*.)

VII. AN ACT for consolidating the Office of the Registrar of Metropolitan Public Carriages with the Office of Commissioners of Police of the Metropolis, and making other Provisions in regard to the Consolidated Offices - - - - - (25 *March*.)

VIII. AN ACT to authorize the Inclosure of certain Lands in pursuance of the Fifth Annual General Report of the Inclosure Commissioners for *England* and *Wales*, and to confirm the Proceedings in the Matter of the *Common Wood* Inclosure - - - - - (17 *May*.)

IX. AN ACT to repeal the Duties and Drawbacks of Excise on Bricks - - - - - (17 *May*.)

X. AN ACT for raising the Sum of Nine million two hundred thousand Pounds by Exchequer Bills, for the Service of the Year One thousand eight hundred } and Fifty - - - - - } (17 *May*.)

XI. AN ACT to make better Provision for the Contributions of Unions and Parishes in School Districts to the common Funds of the respective Districts - - - - - (17 *May*.)

XII. AN ACT to indemnify such Persons in the United Kingdom as have omitted to qualify themselves for Offices and Employments, and to extend the Time limited for those Purposes respectively - - - - - (17 *May*.)

XIII. AN ACT to render more simple and effectual the Titles by which Congregations or Societies associated for purposes of Religious Worship or Education in *Scotland* hold Real Property required for such purposes - - - - - (17 *May*.)

XIV. AN ACT to authorize a further Advance of Money to certain distressed Poor Law Unions, and to make provision for the Repayment of Advances made and authorized to be made to Poor Law Unions and other Districts in *Ireland* - - - - - (17 *May*.)

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XVI. AN ACT to enable the Judges of the Courts of Common Law at <i>Westminster</i> to alter the Forms of Pleading - - - - -	(31 May.)
XVII. AN ACT to amend an Act of the last Session of Parliament for granting Relief against Defects in Leases made under Powers of Leasing - - - - -	(31 May.)
XVIII. AN ACT for the Regulation of Process and Practice in the Superior Courts of Common Law in <i>Ireland</i> - - - - -	(31 May.)
XIX. AN ACT to explain and amend an Act for the Regulation of Process and Practice in the Superior Courts of Common Law in <i>Ireland</i> - - - - -	(10 June.)
XX. AN ACT to amend an Act of the Fifth and Sixth Years of Her present Majesty, for the Appointment and Payment of Parish Constables - - - - -	(10 June.)
XXI. AN ACT for shortening the Language used in Acts of Parliament	(10 June.)
XXII. AN ACT for raising the Sum of Eight millions five hundred and fifty-eight thousand seven hundred Pounds by Exchequer Bills, for the Service of the Year One thousand eight hundred and Fifty - - - - -	(10 June.)
XXIII. AN ACT to repeal an Exception in an Act of the Twenty-seventh Year of King HENRY the Sixth concerning the Days whereon Fairs and Markets ought not to be kept - - - - -	(10 June.)
XXIV. AN ACT to enable the Commissioners of <i>Greenwich</i> Hospital to improve the said Hospital, and also to enlarge and improve the <i>Billingsgate Dock</i> , and widen <i>Billingsgate Street</i> , in <i>Greenwich</i> ; and for other Purposes - - - - -	(25 June.)
XXV. AN ACT to enable Queen's Counsel and others, not being of the Degree of the Coif, to act as Judges of Assize - - - - -	(25 June.)
XXVI. AN ACT to repeal an Act of the Sixth Year of King GEORGE the Fourth, for encouraging the Capture or Destruction of Piratical Ships and Vessels, and to make other Provisions in lieu thereof - - - - -	(25 June.)
XXVII. AN ACT to provide for the Commencement of an Act of the present Session, intituled, "An Act to repeal an Act of the Sixth Year of King GEORGE the Fourth, for encouraging the Capture or Destruction of Piratical Ships and Vessels, and to make other Provisions in lieu thereof" - - - - -	(15 July.)
XXVIII. AN ACT to render more simple and effectual the Titles by which Congregations or Societies for purposes of Religious Worship or Education in <i>England</i> and <i>Ireland</i> hold property for such purposes - - - - -	(15 July.)
XXIX. AN ACT to amend the Laws concerning Judgments in <i>Ireland</i>	(15 July.)
XXX. AN ACT to provide for the Appointment of Sheriff of the } County of <i>Westmoreland</i> - - - - - }	(15 July.)
XXXI. AN ACT to authorize further Advances of Money for Drainage and the Improvement of Landed Property in the United Kingdom, and to amend the Acts relating to such Advances - - - - -	(15 July.)
XXXII. AN ACT for confirming certain Provisional Orders of the General Board of Health - - - - -	(15 July.)
XXXIII. AN ACT to make more effectual Provision for regulating the Police of Towns and populous Places in <i>Scotland</i> , and for Paving, Draining, Cleansing, Lighting and Improving the same - - - - -	(15 July.)
XXXIV. AN ACT to continue certain Acts for regulating Turnpike } Roads in <i>Ireland</i> - - - - - }	(15 July.)
XXXV. AN ACT to diminish the Delay and Expense of Proceedings in the High Court of Chancery in <i>England</i> - - - - -	(15 July.)
XXXVI. AN ACT to facilitate Procedure in the Court of Session in } <i>Scotland</i> - - - - - }	(29 July.)
XXXVII. AN ACT for the further Extension of Summary Jurisdiction in Cases of Larceny - - - - -	(29 July.)
XXXVIII. AN ACT to render valid certain Marriages solemnized in the new Church at <i>Upton-cum-Chalvey</i> , in the County of <i>Buckingham</i> and Diocese of <i>Oxford</i>	(29 July.)
XXXIX. AN ACT for the better Government of Convict Prisons - - -	(29 July.)

- CAP. Royal Assent.
- XL. AN ACT to regulate the Disposition of the Naval Prize Balance - (29 July)
- XLI. AN ACT to authorize the Division of the Parish of *Manchester* into several Parishes, and for the Application of the Revenues of the Collegiate and Parish Church, and for other Purposes - - - - - (29 July.)
- XLII. AN ACT to confirm the Incorporation of certain Boroughs, and to provide for the Payment of the Expenses of the Incorporation of new Boroughs - - (29 July.)
- XLIII. AN ACT to amend the Practice and Proceedings of the Court of Chancery of the County Palatine of *Lancaster* - - - - - (29 July.)
- XLIV. AN ACT for taking an Account of the Population of *Ireland* - (29 July.)
- XLV. AN ACT to continue an Act to amend the Laws relating to }
Loan Societies - - - - - } (29 July.)
- XLVI. AN ACT to suspend the making of Lists and the Ballots and Enrolments for the Militia of the United Kingdom - - - - - (29 July.)
- XLVII. AN ACT for further continuing certain temporary Provisions concerning Ecclesiastical Jurisdiction in *England* - - - - - (29 July.)
- XLVIII. AN ACT to continue certain Acts relating to Linen, Hempen and other Manufactures in *Ireland* - - - - - (29 July.)
- XLIX. AN ACT to defray the Charge of the Pay, Clothing and contingent and other Expenses of the Disembodied Militia in *Great Britain* and *Ireland*; to grant Allowances in certain cases to Subaltern Officers, Adjutants, Paymasters, Quartermasters, Surgeons, Assistant Surgeons, Surgeons Mates and Serjeant Majors of the Militia; and to authorize the Employment of the Non-commissioned Officers - - - - - (29 July.)
- L. AN ACT to continue the Exemption of Inhabitants from Liability to be rated as such in respect of Stock in Trade or other Property to the Relief of the Poor - (29 July.)
- LI. AN ACT for the Transfer of the Equitable Jurisdiction of the Court of Exchequer to the Court of Chancery in *Ireland* - - - - - (29 July.)
- LII. AN ACT to make better Provision for the Interment of the Dead in and near the Metropolis - - - - - (5 August.)
- LIII. AN ACT for taking Account of the Population of *Great Britain* (5 August.)
- LIV. AN ACT to amend the Acts relating to Labour in Factories - (5 August.)
- LV. AN ACT to amend an Act of the last Session for amending an Act for the Regulation of Municipal Corporations in *Ireland* so far as relates to the Borough of *Dublin* - - - - - (5 August.)
- LVI. AN ACT to continue the Act for exempting certain Bills of Exchange and Promissory Notes from the Operation of the Usury Laws - - - - - (5 August.)
- LVII. AN ACT to prevent the holding of Vestry or other Meetings in Churches, and for regulating the Appointment of Vestry Clerks - - - - - (5 August.)
- LVIII. AN ACT to continue an Act for authorizing the Application of Highway Rates to Turnpike Roads - - - - - (5 August.)
- LIX. AN ACT for the better Government of Her Majesty's *Australian* }
Colonies - - - - - } (5 August.)
- LX. AN ACT to consolidate and amend the Laws relating to the Conveyance and Transfer of Real and Personal Property vested in Mortgagees and Trustees - - (5 August.)
- LXI. AN ACT to extend the Act for the more easy Recovery of Small Debts and Demands in *England*, and to amend the same - - - - - (14 August.)
- LXII. AN ACT to alter and extend an Act passed in the Eleventh Year of King GEORGE the Fourth, for amending and consolidating the Laws relating to the Pay of the Royal Navy - - - - - (14 August.)
- LXIII. AN ACT to provide for the Redemption of an Annuity of Ten thousand Pounds payable to the "Equivalent Company" - - - - - (14 August.)
- LXIV. AN ACT to provide for more effectually maintaining, repairing, improving and rebuilding Bridges in Cities and Boroughs - - - - - (14 August.)
- LXV. AN ACT for enabling Town Councils to establish Public Libraries and Museums - - - - - (14 August.)
- LXVI. AN ACT to authorize the Inclosure of certain Lands in pursuance of a Special Report of the Inclosure Commissioners for *England* and *Wales* - - (14 August.)

CAP.

Royal Assent.

LXVII. AN ACT to reduce the Duty of Excise on Sugar manufactured in the United Kingdom, and to impose a countervailing Duty on Sugar used in the brewing of Beer for Sale; and also to amend the Laws relating to the Licences granted to Brewers and Distillers - - - - - (14 August.)

LXVIII. AN ACT to shorten the Duration of Elections in *Ireland*, and for establishing additional Places for taking the Poll thereat - - - - - (14 August.)

LXIX. AN ACT to amend the Laws which regulate the Qualification and Registration of Parliamentary Voters in *Ireland*, and to alter the Law for rating Immediate Lessors of Premises to the Poor Rate in certain Boroughs - - - - - (14 August.)

LXX. AN ACT empowering the *Canterbury* Association to dispose of certain Lands in *New Zealand* - - - - - (14 August.)

LXXI. AN ACT to continue an Act of the Eleventh and Twelfth Years of the Reign of Her present Majesty, intituled, "An Act to prevent, until the First Day of *September* One thousand eight hundred and Fifty, and to the end of the then Session of Parliament, the spreading of contagious or infectious Disorders among Sheep, Cattle and other Animals - - - - - (14 August.)

LXXII. AN ACT to amend the Laws for the Registration of Assurances of Lands in *Ireland* - - - - - (14 August.)

LXXIII. AN ACT to amend the Law relating to Proceedings by Process of Attachment of Goods in the Borough and other Courts of Record in *Ireland* - - - - - (14 August.)

LXXIV. AN ACT for the better Regulation of the Office of Registrar of Judgments in *Ireland* - - - - - (14 August.)

LXXV. AN ACT to regulate the Receipt and Amount of Fees receivable by certain Officers in the Court of Common Pleas - - - - - (14 August.)

LXXVI. AN ACT to provide for the Division of the Deanery of *Saint Burian* into Three Rectories, and for abolishing the Royal Peculiar of *Saint Burian* - - - - - (14 August.)

LXXVII. AN ACT to enable Her Majesty to make a suitable Provision for His Royal Highness the Duke of *Cambridge*, and also for Her Royal Highness the Princess *Mary* of *Cambridge* - - - - - (14 August.)

LXXVIII. AN ACT to enable Her Majesty to make Provision for the Residence of His Royal Highness *Albert Edward* Prince of *Wales* in *Marlborough House* during the joint Lives of Her Majesty and His Royal Highness - - - - - (14 August.)

LXXIX. AN ACT to continue certain Turnpike Acts in *Great Britain*, and to make further Provisions respecting Turnpike Roads in *England* - - - - - (14 August.)

LXXX. AN ACT to repeal part of an Act of the Fifteenth Year of King *GEORGE* the Third, for the Encouragement of the Fisheries carried on from *Great Britain*, *Ireland*, and the *British* Dominions in *Europe*, and for securing the Return of the Fishermen, Sailors and others employed in the said Fisheries to the Ports thereof at the end of the Fishing Season - - - - - (14 August.)

LXXXI. AN ACT to explain an Act of the last Session for amending an Act for the Regulation of Municipal Corporations in *Ireland* so far as relates to the Borough of *Dublin* - - - - - (14 August.)

LXXXII. AN ACT to extend the Remedies for the Collection of Grand Jury Cess in *Ireland* - - - - - (14 August.)

LXXXIII. AN ACT to facilitate the Abandonment of Railways, and the Dissolution of Railway Companies, in certain cases - - - - - (14 August.)

LXXXIV. AN ACT to enable the Council of the Borough of *Manchester* to determine their Liability to defray the Expenses of Customs in respect of Goods warehoused in the said Borough, and to authorize the Commissioners of Her Majesty's Treasury to direct the Discontinuance of the further warehousing of Goods in such Warehouses without Payment of Duty - - - - - (14 August.)

LXXXV. AN ACT to provide for holding the Assizes of certain Counties of Cities and Towns in *Ireland* in the Assize Towns of the adjoining Counties at large in certain cases; and to make Provision as to Gaols in case of the Change of Assize Towns (14 August.)

LXXXVI. AN ACT for the Erection on the Earthen Mound in the City of *Edinburgh* of Buildings for a National Gallery, and other Purposes connected therewith and with the Promotion of the Fine Arts in *Scotland* - - - - - (14 August.)

LXXXVII. AN ACT for Payment of a Moiety of certain Penalties towards Police Superannuation Funds - - - - - (14 August.)

CAP.

Royal Assent.

LXXXVIII. AN ACT to amend the Law relating to Engines used in the Rivers and on the Sea Coasts of *Ireland* for the taking of Fish - - - - (14 August.)

LXXXIX. AN ACT to regulate the Proceedings in the High Court of Chancery in *Ireland* - - - - (14 August.)

XC. AN ACT to confirm certain Provisional Orders of the General Board of Health, and for certain other Purposes in relation to the Public Health Act, }
1848 - - - - - } - (14 August.)

XCI. AN ACT to authorize Justices of any Borough having a separate Goal to commit Assize Prisoners to such Gaol, and to extend the Jurisdiction of Borough Justices to all Offences and Matters arising within the Borough for which they act - - (14 August.)

XCII. AN ACT for the more effectual Prevention of Cruelty to }
Animals in *Scotland* - - - - - } - (14 August.)

XCIII. AN ACT for Improving the Condition of Masters, Mates and Seamen, and maintaining Discipline in the Merchant Service - - - - (14 August.)

XCIV. AN ACT to amend the Acts relating to the Ecclesiastical Commissioners for *England* - - - - - (14 August.)

XCV. AN ACT to amend the Laws relating to the Customs - - (14 August.)

XCVI. AN ACT to continue and amend the Acts for authorizing a Composition for Assessed Taxes - - - - - (14 August.)

XCVII. AN ACT to repeal certain Stamp Duties, and to grant others in lieu thereof; and to amend the Laws relating to the Stamp Duties - - - - (14 August.)

XCVIII. AN ACT to amend the Law relating to the holding of Benefices in Plurality - - - - - (14 August.)

XCIX. AN ACT for the better assessing and collecting the Poor Rates and Highway Rates in respect of Small Tenements - - - - - (14 August.)

C. AN ACT for inspection of Coal Mines in *Great Britain* - - - (14 August.)

CI. AN ACT to continue Two Acts passed in the Twelfth and Thirteenth Years of the Reign of Her Majesty, for charging the Maintenance of certain Poor Persons in Unions in *England* and *Wales* upon the Common Fund; and to make certain Amendments in the Laws for the Relief of the Poor - - - - - (14 August.)

CII. AN ACT to consolidate and amend the Acts relating to certain Offences and other Matters as to which Justices of the Peace exercise a summary }
Jurisdiction in *Ireland* - - - - - } - (14 August.)

CIII. AN ACT to authorize further Charges on "The *London Bridge* Approaches Fund" for the Completion of certain Improvements in the Metropolis - - - (14 August.)

CIV. AN ACT to extend and amend the Acts relating to the }
Copyright of Designs - - - - - } - (14 August.)

CV. AN ACT for facilitating the Union of Liberties with the Counties in which they are situate - - - - - (14 August.)

CVI. AN ACT to continue, for a Time to be limited, an Act of the Eleventh Year of Her present Majesty, for the better Prevention of Crime and Outrage in certain Parts of *Ireland* - - - - - (14 August.)

CVII. AN ACT to apply a Sum out of the Consolidated Fund, and certain other Sums, to the Service of the Year One thousand Eight hundred and Fifty; and to appropriate the Supplies granted in this Session of Parliament - - - - (15 August.)

CVIII. AN ACT for confirming certain further Provisional Orders of the General Board of Health - - - - - (15 August.)

CIX. AN ACT to enlarge and extend the powers of an Act of the Ninth and Tenth Years of Her present Majesty, intituled, "An Act to enable the Commissioners of Her Majesty's Woods to construct a new Street from *Spitalfields* to *Shoreditch*" (15 August.)

CX. AN ACT to continue the Act for amending the Laws relating to Savings Banks in *Ireland* - - - - - (15 August.)

CXI. AN ACT to relieve the *Chester* and *Holyhead* Railway Company from contributing towards the Expense of the proposed new Harbour at *Holyhead*, and to take away the Powers of the said Company in relation to such Harbour - - - (15 August.)

CAP.

Royal Assent.

CXII. AN ACT to vest in the Commissioners of Public Works in *Ireland* certain Works and Rights of the *Lough Corrib* Improvement Company, and to compensate such Company for the same - - - - - (15 August.)

CXIII. AN ACT to authorize the Transfer of Loans for the Improvement of Land in *Ireland* to other Land - - - - - (15 August.)

CXIV. AN ACT to repeal the Stamp Duties on Proceedings in the Courts of Law in *Ireland*, and to grant certain other Stamp Duties in lieu thereof - - (15 August.)

CXV. AN ACT to consolidate and amend the Laws relating to }
Friendly Societies - - - - - } - (15 August.)

CXVI. AN ACT to amend an Act passed in the Tenth Year of Her present Majesty's Reign, for empowering the Commissioners of Her Majesty's Woods to purchase Land for a Harbour of Refuge and Breakwater in the *Isle of Portland*; and to make further Provisions for the Division and Application of the Purchase Money - - (15 August.)

I N D E X

TO THE

PUBLIC GENERAL ACTS, 13° & 14° VICT., SESS. 1850:

SHOWING

Whether they relate to the **WHOLE** or to any **PART** of the **UNITED KINGDOM**;

VIZ.

(E.) <i>signifies that the Act</i> <i>relates to</i>	}	ENGLAND (and WALES; if the subject extends so far).
(S.) - - -		
(I.) - - -		SCOTLAND.
(E. & I.) - -		IRELAND.
(E. & I.) - -		ENGLAND AND IRELAND.
(G. B.) - -		GREAT BRITAIN.
(G. B. & I.) -		GREAT BRITAIN AND IRELAND.
(U. K.) - -		THE WHOLE OF THE UNITED KINGDOM.

A.	Cap.
ABANDONMENT of Railways, to facilitate - - - - -	(G. B. & I.) 83.
Accounts of Trustees or Commissioners of Turnpike Roads and Bridges; requiring the Transmission of annual Abstracts of, to the Lord Lieu- tenant, to be laid before Parliament - - - - -	(I.) 4.
Acts of Parliament Abbreviation; for shortening the Language used in Acts of Parliament - - - - -	(U. K.) 21.
Advances of Money; to authorize a further Advance of Money to cer- tain distressed Poor Law Unions, and to make Provision for the Repayment of Advances made and authorized to be made to Poor Law Unions and other Districts - - - - -	(I.) 14.
— to authorize further Advances of Money for Drainage and the Improvement of Landed Property - - - - -	(U. K.) 31.
Albert Edward (His Royal Highness Prince of Wales); to enable Her Majesty to make Provision for the Residence of, in Marlborough House, during the joint Lives of Her Majesty and His Royal Highness	(U. K.) 78.
Alterations in Pleading; to enable the Judges of the Courts of Common Law at Westminster to alter the Forms of Pleading - - - - -	(E.) 16.
Animals, for the more effectual Prevention of Cruelty to - - - -	(S.) 92.
Appeal (Courts of), to authorize the Establishment of, for certain of Her Majesty's West India Colonies - - - - -	(U. K.) 15.
Appropriation of Supplies - - - - -	(U. K.) 107.
Army; for punishing Mutiny and Desertion, and for the better Pay- ment of the Army and their Quarters - - - - -	(U. K.) 5.
Assessed Taxes Composition; to continue and amend the Acts for authorizing a Composition for Assessed Taxes - - - - -	(G. B.) 96.
Assize (Judges of), to enable Queen's Counsel and others, not of the Degree of the Coif, to act as - - - - -	(E.) 25.
Assize Prisoners; to authorize Justices of any Borough having a separate Gaol to commit Assize Prisoners to such Gaol - - - - -	(E.) 91.

Assizes ; to provide for holding the Assizes of certain Counties of Cities and Towns in the Assize Towns of the adjoining Counties at large, in certain Cases, and to make Provision as to Gaols in case of the Change of Assize Towns - - - - -	(I.)	85.	Cap.
Assurances of Lands, to amend the Laws for the Registration of - -	(I.)	72.	
Attachment of Goods, to amend the Law relating to Proceedings by Process of, in Borough and other Courts of Record - - -	(I.)	73.	
Australian Colonies Government ; for the better Government of the Australian Colonies - - - - -	(U. K.)	59.	

B.

Beer, to impose a countervailing Duty on Sugar used in the brewing of, for Sale - - - - -	(U. K.)	67.	
Benefices in Plurality, to amend the Law relating to the holding of -	(E.)	98.	
Billingsgate Dock (Greenwich), Commissioners of Greenwich Hospital enabled to enlarge and improve, and to widen Billingsgate-street -	(E.)	24.	
Bills of Exchange, to continue 2 & 3 Vict. c. 37, for exempting certain, from the Operation of the Usury Laws - - - - -	(G. B. & I.)	56.	
Board of Health (General), for confirming certain Provisional Orders of {	(E.) 32. (E.) 90. (E.) 108.		
Borough Bridges ; to provide for more effectually maintaining, repairing, improving, and rebuilding Bridges in Cities and Boroughs - - -	(E.)	64.	
Borough Courts of Record ; to amend the Law relating to Proceedings by Process of Attachment of Goods in Borough and other Courts of Record - - - - -	(I.)	73.	
Boroughs, to confirm the Incorporation of certain, and to provide for the Payment of the Expenses of the Incorporation of new Boroughs {	(E.)	42.	
—— to alter the Law for rating Immediate Lessors of Premises to the Poor Rate in certain - - - - -	(I.)	69.	
Borough Gaols ; to authorize Justices of any Borough, having a separate Gaol, to commit Assize Prisoners to such Gaol, and to extend the Jurisdiction of Borough Justices to all Offences and Matters arising within the Borough for which they act - - - - -	(E.)	91.	
Brewers, to amend the Laws relating to the Licences granted to - -	(U. K.)	67.	
Bricks Duties ; to repeal the Duties and Drawbacks of Excise on Bricks	(G. B.)	9.	
Bridges ; for requiring the Transmission of annual Abstracts of Accounts of Trustees or Commissioners of, to the Lord Lieutenant, to be laid before Parliament - - - - -	(I.)	4.	
—— in Cities and Boroughs, to provide for more effectually maintaining, repairing, improving, and rebuilding - - - - -	(E.)	64.	
Burian. See Saint Burian.			

C.

Cambridge (His Royal Highness the Duke of), to enable Her Majesty to make a suitable Provision for, and also for Her Royal Highness the Princess Mary of Cambridge - - - - -	(U. K.)	77.	
Canterbury Settlement Lands ; empowering the Canterbury Association to dispose of certain Lands in New Zealand - - - - -	(U. K.)	70.	
Cattle, continuing 11 & 12 Vict. c. 107, for preventing the spreading of contagious or infectious Disorders among - - - - -	(U. K.)	71.	
Cess (Grand Jury), to extend the Remedies for the Collection of - -	(I.)	82.	
Chancery (Court of), to diminish the Delay and Expense of Proceedings in - - - - -	(E.)	35.	

		<i>Cap.</i>
Chancery (Court of), of the County Palatine of Lancaster, to amend the } Practice and Proceedings of - - - - - }	(E.)	43.
— for the Transfer of the Equitable Jurisdiction of the Court of } Exchequer to - - - - - }	(I.)	51.
— to regulate the Proceedings in the High Court of - - - - - }	(I.)	89.
Chester and Holyhead Railway Company, to relieve, from contributing } towards the Expense of the proposed new Harbour at Holyhead, and } to take away the Powers of the said Company in relation to such } Harbour - - - - - }	(E.)	111.
Churches, to prevent the holding of Vestry or other Meetings in - - - - - }	(E.)	57.
Cities, to provide for more effectually maintaining, repairing, improving, } and rebuilding Bridges in - - - - - }	(E.)	64.
Coal Mines, for the Inspection of - - - - - }	(G. B.)	100.
Commissioners of Police; consolidating the Office of the Registrar of } Metropolitan Public Carriages with the Office of Commissioners of } Police of the Metropolis, and making other Provisions in regard to } the consolidated Offices - - - - - }	(E.)	7.
Commissioners of Turnpike Roads and Bridges, requiring the Trans- } mission, to the Lord Lieutenant, of annual Abstracts of Accounts, and } Statements of, to be laid before Parliament - - - - - }	(I.)	4.
Common Law (Courts of); for the Regulation of Process and Practice } in the Superior Courts of Common Law - - - - - }	(I.)	18.
— to explain and amend the preceding Act - - - - - }	(I.)	19.
Common Pleas (Court of), to regulate the Receipt and Amount of Fees } receivable by certain Officers in - - - - - }	(E.)	75.
Commons Inclosure; to authorize the Inclosure of certain Lands in pur- } suance of the Fifth Annual General Report of the Inclosure Commis- } sioners for England and Wales, and to confirm the Proceedings in the } Matter of the Common Wood Inclosure - - - - - }	(E.)	8.
— (No. 2.); to authorize the Inclosure of certain Lands in pur- } suance of a Special Report of the Inclosure Commissioners for } England and Wales - - - - - }	(E.)	66.
Common Wood Inclosure, to confirm the Proceedings in the Matter of - - - - - }	(E.)	8.
Composition for Assessed Taxes, to continue and amend the Acts for } authorizing - - - - - }	(G. B.)	96.
Congregations or Societies associated for Purposes of Religious Worship } or Education, to render more simple and effectual the Titles by which } they hold Real Property required for such Purposes - - - - - }	(S.) (E. & I.)	13. 28.
Consolidated Fund, to apply the Sum of 8,000,000 <i>l.</i> out of, to the } Service of the Year 1850 - - - - - }	(U. K.)	3.
— (Appropriation); to apply a Sum out of the Consolidated Fund, } and certain other Sums, to the Service of the Year 1850; and to ap- } propriate the Supplies granted in this Session of Parliament - - - }	(U. K.)	107.
Constables (Parish), to amend 5 & 6 Vict. c. 109, for the Appointment } and Payment of - - - - - }	(E.)	20.
Contagious Disorders among Sheep, Cattle, and other Animals, continuing } 11 & 12 Vict. c. 107, for preventing the spreading of - - - - - }	(U. K.)	71.
Conveyance and Transfer of Real and Personal Prsperty vested in } Mortgagees and Trustees, to consolidate and amend the Laws relating } to - - - - - }	(E. & I.)	60.
Convict Prisons, for the better Government of - - - - - }	(E.)	39.
Copyright of Designs, to extend and amend the Acts relating to - - - - - }	(G. B. & I.)	104.
Counties; for facilitating the Union of Liberties with the Counties in } which they are situate - - - - - }	(E.)	105.
County Cess, to amend 12 & 13 Vict. c. 36, for making Provision for } the Collection of, and for the Remuneration of the Collectors thereof }	(I.)	1.

County Court Extension; to extend and amend 9 & 10 Vict. c. 95, for } the more easy Recovery of Small Debts and Demands - - - }	(E.)	61.	<i>Cap.</i>
Court of Chancery, to regulate the Proceedings in the High Court of -	(I.)	89.	
—— to diminish the Delay and Expense of Proceedings in - -	(E.)	35.	
—— for the Transfer of the Equitable Jurisdiction of the Court of } Exchequer to - - - - - }	(I.)	51.	
—— of the County Palatine of Lancaster, to amend the Practice and } Proceedings of - - - - - }	(E.)	43.	
Court of Common Pleas, to regulate the Receipt and Amount of Fees } receivable by certain Officers in - - - - - }	(E.)	75.	
Court of Exchequer, for the Transfer of the Equitable Jurisdiction of, to } the Court of Chancery - - - - - }	(I.)	51.	
Court of Session, to facilitate Procedure in - - - - -	(S.)	36.	
Courts of Appeal, to authorize the Establishment of, for certain of Her } Majesty's West India Colonies - - - - - }	(U. K.)	15.	
Courts of Common Law, to enable the Judges of, at Westminster, to } alter the Forms of Pleading - - - - - }	(E.)	16.	
—— for the Regulation of Process and Practice in the Superior } Courts of Common Law - - - - - }	(I.)	18.	
—— to explain and amend the preceding Act - - - - -	(I.)	19.	
Courts of Law, to repeal the Stamp Duties on Proceedings in, and to } grant certain other Stamp Duties in lieu thereof - - - }	(I.)	114.	
Crime and Outrage Act Continuance; to continue 11 & 12 Vict. c. 2, } for a Time to be limited, for the better Prevention of Crime and Out- } rage in certain Parts - - - - - }	(I.)	106.	
Cruelty to Animals, for the more effectual Prevention of -	(S.)	92.	
Customs, to enable the Council of the Borough of Manchester to deter- } mine their Liability to defray the Expenses of, in respect of Goods } warehoused in the said Borough, and to authorize the Commissioners } of Her Majesty's Treasury to direct the Discontinuance of the further } warehousing of Goods in such Warehouses without Payment of } Duty - - - - - }	(E.)	84.	
—— to amend the Laws relating to - - - - -	(U. K.)	95.	

D.

Dead, to make better Provision for the Interment of, in and near the } Metropolis - - - - - }	(E.)	52.
Deanery of Saint Burian Division; to provide for the Division of the } Deanery of Saint Burian into Three Rectories, and for abolishing the } Royal Peculiar of Saint Burian - - - - - }	(E.)	76.
Debts; to extend and amend 9 & 10 Vict. c. 95, for the more easy } Recovery of Small Debts and Demands - - - - - }	(E.)	61.
Defects in Leases Act Amendment; to amend 12 & 13 Vict. c. 26, for } granting Relief against Defects in Leases made under Powers of } Leasing - - - - - }	(E. & I.)	17.
Desertion. <i>See</i> Army.		
Designs, to amend and extend the Acts relating to the Copyright of -	(G. B. & I.)	104.
Disorders (Contagious or Infectious) among Sheep, Cattle and other } Animals, continuing 11 & 12 Vict. c. 107, for preventing the spread- } ing of - - - - - }	(U. K.)	71.
Distillers, to amend the Laws relating to the Licences granted to -	(U. K.)	67.
Distressed Unions Advances and Repayment of Advances; to autho- } rize a further Advance of Money to certain distressed Poor Law } Unions, and to make Provision for the Repayment of Advances made } and authorized to be made to Poor Law Unions and other Districts - }	(I.)	14.

		<i>Cap.</i>
Drainage and Improvement of Land Advances; to authorize further Advances of Money for Drainage and the Improvement of Landed Property, and to amend the Acts relating to such Advances - - }	(U. K.)	31.
Dublin, to amend 12 & 13 Vict. c. 85, for amending an Act for the Regulation of Municipal Corporations so far as relates to the Borough of - - - - - }	(I.)	55.
— to explain 12 & 13 Vict. c. 85, for amending an Act for the Regulation of Municipal Corporations so far as relates to the Borough of - - - - - }	(I.)	81.
Duke of Cambridge's Annuity; to enable Her Majesty to make a suitable Provision for His Royal Highness the Duke of Cambridge, and also for Her Royal Highness the Princess Mary of Cambridge - }	(U. K.)	77.
Duties of Excise on Bricks, to repeal - - - - - }	(G. B.)	9.

E.

Earthen Mound (Edinburgh), for the Erection on, of Buildings for a National Gallery, and other Purposes connected therewith, and with the Promotion of the Fine Arts - - - - - }	(S.)	86.
Ecclesiastical Commission; to amend the Acts relating to the Ecclesiastical Commissioners for England - - - - - }	(E.)	94.
Ecclesiastical Jurisdiction, for further continuing certain temporary Provisions concerning - - - - - }	(E.)	47.
Edinburgh (City), for the Erection on the Earthen Mound in, of Buildings for a National Gallery, and other Purposes connected therewith, and with the Promotion of the Fine Arts - - - - - }	(S.)	86.
Education; to render more simple and effectual the Titles by which Congregations or Societies associated for Purposes of Religious Worship or Education hold Real Property required for such Purposes - }	(S.) (E. & I.)	13. 28.
Elections, to shorten the Duration of, and to establish additional Places for taking the Poll thereat - - - - - }	(I.)	68.
Engines for taking Fish; to amend the Law relating to Engines used in the Rivers and on the Sea Coasts for the taking of Fish - - }	(I.)	88.
Equivalent Company's Annuity Redemption; to provide for the Redemption of an Annuity of 10,000 <i>l.</i> payable to the "Equivalent Company" - - - - - }	(S.)	63.
Exchequer (Court of), for the Transfer of the Equitable Jurisdiction of, to the Court of Chancery - - - - - }	(I.)	51.
Exchequer Bills, raising 9,200,000 <i>l.</i> by, for the Service of 1850 - - - }	(U. K.)	10.
— raising 8,558,700 <i>l.</i> by, for the Service of 1850 - - - - }	(U. K.)	22.
Excise Duties and Drawbacks on Bricks, to repeal - - - - - }	(G. B.)	9.
Excise, Sugar and Licences; to reduce the Duty of Excise on Sugar manufactured in the United Kingdom, and to impose a countervailing Duty on Sugar used in the brewing of Beer for Sale; and also to amend the Laws relating to the Licences granted to Brewers and Distillers - - - - - }	(U. K.)	67.

F.

Factories, to amend the Acts relating to Labour in - - - - - }	(E.)	54.
Fairs, to repeal an Exception in 27 Hen. 6, c. 5, concerning the Days whereon Fairs ought not to be kept - - - - - }	(E.)	23.
Fees (Court of Common Pleas); to regulate the Receipt and Amount of Fees receivable by certain Officers in the Court of Common Pleas }	(E.)	75.
Fish, to amend the Laws relating to Engines used in the Rivers and on the Sea Coasts for the taking of - - - - - }	(I.)	88.

		<i>Cap.</i>
Fisheries, to repeal part of 15 G. 3, c. 31, for the Encouragement of the Fisheries carried on from Great Britain, Ireland, and the British Dominions in Europe; and for securing the Return of the Fishermen, Sailors, and others employed in the said Fisheries to the Ports thereof at the end of the Fishing Season - - - - -	(U. K.)	80.
Forms of Pleading, to enable the Judges of the Courts of Common Law at Westminster to alter - - - - -	(E.)	16.
Friendly Societies, to consolidate and amend the Laws relating to - - - - -	(G. B. & I.)	115.

G.

Gaols, to make Provision as to, in case of the Change of Assize Towns - - - - -	(I.)	85.
—— to authorize Justices of any Borough having a separate Gaol to commit Assize Prisoners to such Gaol - - - - -	(E.)	91.
General Board of Health, for confirming certain Provisional Orders of - - - - -	(E.)	32.
—— (No. 2); to confirm certain Provisional Orders of the General Board of Health, and for certain other Purposes in relation to the Public Health Act, 1848 - - - - -	(E.)	90.
—— (No. 3); for confirming certain further Provisional Orders of the General Board of Health - - - - -	(E.)	108.
Goods, to amend the Law relating to Proceedings by Process of Attachment of, in Borough and other Courts of Record - - - - -	(I.)	73.
Grand Jury Cess, to extend the Remedies for the Collection of - - - - -	(I.)	82.
Great Britain, for taking an Account of the Population of - - - - -	(G. B.)	53.
Greenwich Hospital Improvement; to enable the Commissioners of Greenwich Hospital to improve the said Hospital, and also to enlarge and improve the Billingsgate Dock, and widen Billingsgate Street in Greenwich; and for other Purposes - - - - -	(E.)	24.

H.

Halifax, confirming the Charter of Incorporation of - - - - -	(E.)	42.
Health (General Board of), for confirming certain Provisional Orders of - - - - -	(E.) (E.) (E.)	32. 90. 108.
Hempen Manufacture, to continue certain Acts relating to - - - - -	(I.)	48.
Highway Rates, to continue 4 & 5 Vict. c. 59, for authorizing the Application of, to Turnpike Roads - - - - -	(E.)	58.
—— for the better assessing and collecting, in respect of Small Tenements - - - - -	(E.)	99.
Holyhead Harbour, to relieve the Chester and Holyhead Railway Company from contributing towards the Expense of the proposed new Harbour at Holyhead, and to take away the Powers of the said Company in relation to such Harbour - - - - -	(E.)	111.

I.

Immediate Lessors, to alter the Law for rating, to the Poor Rate, in certain Boroughs - - - - -	(I.)	69.
Improvement of Land, to authorize the Transfer of Loans for, to other Land - - - - -	(I.)	113.
Inclosure of certain Lands, to authorize, in pursuance of the Fifth Annual General Report of the Inclosure Commissioners for England and Wales, and to confirm the Proceedings in the Matter of the Common Wood Inclosure - - - - -	(E.)	8.
—— to authorize, in pursuance of a Special Report of the Inclosure Commissioners for England and Wales - - - - -	(E.)	66.

		<i>Cap.</i>
Incorporation of Boroughs Confirmation; to confirm the Incorporation of certain Boroughs, and to provide for the Payment of the Expenses of the Incorporation of new Boroughs - - - - -	(E.)	42.
Indemnity Act, annual - - - - -	(U. K.)	12.
Infectious Disorders among Sheep, Cattle and other Animals, continuing 11 & 12 Vict., c. 107, for preventing the spreading of - - -	(U. K.)	71.
Interment of the Dead in and near the Metropolis, to make better Provision for - - - - -	(E.)	52.
Ireland, for taking an Account of the Population of - - - - -	(I.)	44.

J.

Judgments, to amend the Laws concerning - - - - -	(I.)	29.
—— for the better Regulation of the Office of Registrar of - - -	(I.)	74.
Judges; to enable the Judges of the Courts of Common Law at Westminster to alter the Forms of Pleading - - - - -	(E.)	16.
Judges of Assize, to enable Queen's Counsel and others, not being of the Degree of the Coif, to act as - - - - -	(E.)	25.
Justices; to consolidate and amend the Acts relating to certain Offences and other Matters, as to which Justices of the Peace exercise a summary Jurisdiction - - - - -	(I.)	102.
—— to authorize Justices of any Borough, having a separate Gaol, to commit Assize Prisoners to such Gaol, and to extend the Jurisdiction of Borough Justices to all Offences and Matters arising within the Borough for which they act - - - - -	(E.)	91.

L.

Labour in Factories, to amend the Acts relating to - - - - -	(E.)	54.
Lancaster (County Palatine of), to amend the Practice and Proceedings of the Court of Chancery of - - - - -	(E.)	43.
Landed Property, to authorize further Advances of Money for Drainage and the Improvement of - - - - -	(U. K.)	31.
Lands, to amend the Laws for the Registration of Assurances of - - -	(I.)	72.
—— to authorize the Transfer of Loans for the Improvement of, to other Land - - - - -	(I.)	113.
Language used in Acts of Parliament, for shortening - - - - -	(U. K.)	21.
Larceny Summary Jurisdiction; for the further Extension of Summary Jurisdiction in Cases of Larceny - - - - -	(E. & I.)	37.
Law Fund Duties, to repeal the Stamp Duties on Proceedings in Courts of Law, and to grant others Stamp Duties in lieu thereof - - -	(I.)	114.
Law of Copyright of Design Amendment; to extend and amend the Acts relating to the Copyright of Designs - - - - -	(G. B. & I.)	104.
Leases made under Powers of Leasing, to amend 12 & 13 Vict., c. 26. for granting Relief against Defects in - - - - -	(E. & I.)	17.
Lessors; to alter the Law for rating Immediate Lessors of Premises to the Poor Rate in certain Boroughs - - - - -	(I.)	69.
Liberties, for facilitating the Union of, with the Counties in which they are situate - - - - -	(E.)	105.
Licenses granted to Brewers and Distillers, to amend the Laws relating to - - - - -	(U. K.)	67.
Linen, &c. Manufactures, to continue certain Acts relating to Linen, Hempen and other Manufactures - - - - -	(I.)	48.
Loan Societies, to continue 3 & 4 Vict., c. 110, to amend the Laws relating to - - - - -	(E.)	45.

		Cap.
Loans for the Improvement of Land, to authorize the Transfer of, to other Land - - - - -	(I.)	113.
London Bridge Approaches Fund, to authorize further Charges on, for the Completion of certain Improvements in the Metropolis - - -	(E.)	103.
Lough Corrib Improvement Company Compensation; vesting certain Works and Rights of the Lough Corrib Improvement Company in the Commissioners of Public Works, and to compensate such Company for the same - - - - -	(I.)	112.
M.		
Manchester Rectory Division; to authorize the Division of the Parish of Manchester into several Parishes, and for the Application of the Revenues of the Collegiate and Parish Church, and for other Purposes - - - - -	(E.)	41.
Manchester Bonding (Amendment of Act); to enable the Council of the Borough of Manchester to determine their Liability to defray the Expenses of Customs in respect of Goods warehoused in the said Borough, and to authorize the Commissioners of Her Majesty's Treasury to direct the Discontinuance of the further warehousing of Goods in such Warehouses without Payment of Duty - - -	(E.)	84.
Manufactures; to continue certain Acts relating to Linen, Hempen and other Manufactures - - - - -	(I.)	48.
Marine Mutiny; for the Regulation of the Royal Marine Forces while on Shore - - - - -	(U. K.)	6.
Markets; to repeal an Exception in 27 Hen. 6, c. 5, concerning the Days whereon Markets ought not to be kept - - - - -	(E.)	23.
Marlborough House, to enable Her Majesty to make Provision for the Residence of His Royal Highness Albert Edward Prince of Wales in, during the joint Lives of Her Majesty and His Royal Highness - -	(U. K.)	78.
Marriages, to render valid certain, solemnized in the new Church of Upton-cum-Chalvey (Buckingham) - - - - -	(E.)	38.
Mercantile Marine; for improving the Condition of Masters, Mates and Seamen, and maintaining Discipline in the Merchant Service - -	(U. K.)	93.
Metropolis, to authorize further Charges on "The London Bridge Approaches Fund" for the Completion of certain Improvements in the - - - - -	(E.)	103.
Metropolitan Interments; to make better Provision for the Interment of the Dead in and near the Metropolis - - - - -	(E.)	52.
Metropolitan Public Carriages, for consolidating the Office of Registrar of, with the Office of Commissioners of Police of the Metropolis, and for making other Provisions in regard to the consolidated Offices - - - - -	(E.)	7.
Militia Ballots Suspension; to suspend the making of Lists and the Ballots and Enrolments for the Militia - - - - -	(G. B. & I.)	46.
Militia Pay; for the Pay, Clothing, &c. of the disembodied Militia, to grant Allowances in certain Cases to Subaltern Officers, &c., and to authorize the Employment of the Non-commissioned Officers - -	(G. B. & I.)	49.
Mines; for the Inspection of Coal Mines - - - - -	(G. B.)	100.
Money, to authorize further Advances of, to certain distressed Poor Law Unions, and to make Provision for the Repayment of such Advances - - - - -	(I.)	14.
Mortgagees, to consolidate and amend the Laws relating to the Conveyance and Transfer of Real and Personal Property vested in - -	(E. & I.)	60.
Municipal Corporations, to amend 12 & 13 Vict., c. 85, for amending an Act for the Regulation of, so far as relates to the Borough of Dublin - - - - -	(I.)	55.
— (No. 2) to explain 12 & 13 Vict., c. 85, for amending an Act for the Regulation of Municipal Corporations so far as relates to the Borough of Dublin - - - - -	(I.)	81.

Museums, for enabling Town Councils to establish - - - -	(E.)	Cap. 65.
Mutiny; for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters - - - - -}	(U. K.)	5.
— (Marine); for the Regulation of the Royal Marine Forces while on Shore - - - - -}	(U. K.)	6.

N.

National Gallery (Edinburgh); for the Erection on the Earthen Mound in the City of Edinburgh of Buildings for a National Gallery, and other Purposes connected therewith and with the Promotion of the Fine Arts - - - - -}	(S.)	86.
Naval Prize Balance, to regulate the Disposition of the - - -	(U. K.)	40.
Navy Pay, to alter and extend 11 Geo. 4, c. 20, for amending and consolidating the Laws relating to the Pay of the Royal Navy -}	(U. K.)	62.
New Zealand, empowering the Canterbury Association to dispose of certain Lands in - - - - -}	(U. K.)	70.

O.

Offices and Employments, annual Indemnity Act for Persons neg- lecting to qualify for - - - - -}	(U. K.)	12.
Oldham, confirming the Charter of Incorporation of - - - -	(E.)	42.

P.

Parish Constables; to amend 5 & 6 Vict., c. 109, for the Appointment and Payment of - - - - -}	(E.)	20.
Parishes, to make better Provision for the Contributions of, in School Districts, to the Common Funds of the respective Districts - -}	(E.)	11.
Parliament (Acts of), for shortening the Language used in - - -	(U. K.)	21.
Parliamentary Voters, to amend the Laws which regulate the Quali- fication and Registration of - - - - -}	(I.)	69.
Party Processions, to restrain - - - - -	(I.)	2.
Penalties, for Payment of a Moiety of certain, towards Police Super- annuation Funds - - - - -}	(E.)	87.
Pirates (Head Money) Repeal; to repeal 6 Geo. 4, c. 49, for encour- aging the Capture or Destruction of Piratical Ships and Vessels, and to make other Provisions in lieu thereof - - - - -}	(U. K.)	26.
— to provide for the Commencement of the preceding Act - - -	(U. K.)	27.
Pleading (Forms of), to enable the Judges of the Courts of Common Law at Westminster to alter - - - - -}	(E.)	16.
Plurality, to amend the Law relating to the holding of Benefices in -	(E.)	98.
Police; consolidating the Office of the Registrar of Metropolitan Public Carriages with the Office of Commissioners of Police of the Metropolis, and making other Provisions in regard to the consoli- dated Offices - - - - -}	(E.)	7.
Police and Improvement, to make more effectual Provision for regu- lating the Police of Towns and populous Places, and for paving, draining, cleansing, lighting and improving the same - - - -}	(S.)	33.
Police Superannuation Funds, for the Payment of the Moiety of certain Penalties towards - - - - -}	(E.)	87.
Poor; to continue the Exemption of Inhabitants from Liability to be rated as such, in respect of Stock in Trade or other Property to the Relief of - - - - -}	(E.)	50.
Poor Law Unions (Distressed), to authorize a further Advance of Money to certain, and to make Provision for the Repayment of Advances made, and authorized to be made, to Poor Law Unions and other Districts - - - - -}	(I.)	14.

		<i>Cap.</i>
Poor Rate; to alter the Law for rating Immediate Lessors of Premises } to, in certain Boroughs - - - - - }	(I.)	69.
— for the better assessing and collecting, in respect of Small } Tenements - - - - - }	(E.)	99.
Poor Relief; to continue 11 & 12 Vict., c. 110, and 12 & 13 Vict., c. 103, for charging the Maintenance of certain Poor Persons in } Unions in England and Wales upon the Common Fund; and to } make certain Amendments in the Laws for the Relief of the Poor - }	(E.)	101.
Population of Great Britain, for taking an Account of - - - - -	(G. B.)	53.
— of Ireland, for taking an Account of - - - - -	(I.)	44.
Portland Harbour and Breakwater; to amend 10 & 11 Vict., c. 24, for empowering the Commissioners of Her Majesty's Woods to purchase } Land for a Harbour of Refuge and Breakwater in the Isle of Port- } land; and to make further Provisions for the Division and Application } of the Purchase-Money - - - - - }	(E.)	116.
Prince of Wales, to enable Her Majesty to make Provision for the Residence of His Royal Highness in Marlborough House during the } joint Lives of Her Majesty and His Royal Highness - - - - - }	(U. K.)	78.
Prisons (Convict), for the better Government of - - - - -	(E.)	39.
Procedure in the Court of Session, to facilitate - - - - -	(S.)	36.
Proceedings in Chancery, to diminish the Delay and Expense of - -	(E.)	35.
— to regulate - - - - -	(I.)	89.
— to amend the Practice and Proceedings of the Court of Chan- } cery of the County Palatine of Lancaster - - - - - }	(E.)	43.
Proceedings in the Courts of Common Law, to repeal the Stamp Duties } on, and to grant certain other Stamp Duties in lieu thereof - - }	(I.)	114.
Process and Practice, for the Regulation of, in the Superior Courts of } Common Law - - - - - }	(I.)	18.
— to explain and amend the preceding Act - - - - -	(I.)	19.
Processions; to restrain Party Processions - - - - -	(I.)	2.
Promissory Notes, to continue 2 & 3 Vict. c. 37, for exempting certain, } from the Operation of the Usury Laws - - - - - }	(G. B. & I.)	56.
Property; to render more simple and effectual the Titles by which Congregations or Societies associated for Purposes of Religious } Worship or Education hold Real Property required for such Pur- } poses - - - - - }	(S.) (E. & I.)	13. 28.
— to authorize further Advances of Money for Drainage and Im- } provement of Landed Property - - - - - }	(U. K.)	31.
— to consolidate and amend the Laws relating to the Conveyance } and Transfer of Real and Personal Property vested in Mortgagees } and Trustees - - - - - }	(E. & I.)	60.
Provisional Orders of the General Board of Health, confirming certain {	(E.) (E.) (E.)	32. 90. 108.
Public Carriages; consolidating the Office of the Registrar of Metro- politan Public Carriages with the Office of Commissioners of Police } of the Metropolis, and making other Provisions in regard to the con- } solidated Offices - - - - - }	(E.)	7.
Public Health. <i>See</i> General Board of Health.		
Public Libraries and Museums, for enabling Town Councils to establish	(E.)	65.
Public Works (Commissioners of), to vest certain Works and Rights of } the Lough Corrib Improvement Company in them - - - - - }	(I.)	112.
Q.		
Qualification of Parliamentary Voters, to amend the Laws which regu- } late - - - - - }	(I.)	69.
Queen's Counsel and others, not being of the Degree of the Coif, } enabled to act as Judges of Assize - - - - - }	(E.)	25.

R.

Railways Abandonment; to facilitate the Abandonment of Railways, and the Dissolution of Railway Companies, in certain Cases - - -	(G. B. & I.)	83.
Real Property; to render more simple and effectual the Titles by which Congregations or Societies associated for Purposes of Religious Worship or Education hold Real Property required for such Purposes - - - - -	(S.) (E. & I.)	13. 28.
— vested in Mortgagees and Trustees, to consolidate and amend the Laws relating to the Conveyance and Transfer of - - -	(E & I.)	60.
Registrar of Judgments, for the better Regulation of the Office of -	(I.)	74.
Registrar of Metropolitan Public Carriages; for consolidating the Office of, with the Office of Commissioners of the Police of the Metropolis, and making other Provisions in regard to the consolidated Offices - - - - -	(E.)	7.
Registration of Deeds; to amend the Laws for the Registration of Assurances of Lands - - - - -	(I.)	72.
Registration of Parliamentary Voters, to amend the Laws which regulate - - - - -	(I.)	69.
Religious Worship; to render more simple and effectual the Titles by which Congregations or Societies associated for Purposes of Religious Worship or Education hold Real Property required for such Purposes - - - - -	(S.) (E. & I.)	13. 28.
Repayment of Advances made and authorized to be made to Poor Law Unions and other Districts, to make Provision for - - - -	(I.)	14.
Royal Family; to enable Her Majesty to make Provision for the Residence of His Royal Highness Albert Edward Prince of Wales in Marlborough House, during the joint Lives of Her Majesty and His Royal Highness - - - - -	(U. K.)	78.
— to enable Her Majesty to make a suitable Provision for His Royal Highness the Duke of Cambridge, and also for Her Royal Highness the Princess Mary of Cambridge - - - - -	(U. K.)	77.

S.

Saint Burian (Deanery of), to provide for the Division of, into Three Rectories, and for abolishing the Royal Peculiar of - - - -	(E.)	76.
Savings Banks, to continue 11 & 12 Vict. c. 133, for amending the Laws relating to - - - - -	(I.)	110.
School Districts Contributions; to make better Provision for the Contributions of Unions and Parishes in School Districts to the Common Funds of the respective Districts - - - - -	(E.)	11.
Seamen, for improving the Condition of, and maintaining Discipline, in the Merchant Service - - - - -	(U. K.)	93.
Session (Court of), to facilitate Procedure in - - - - -	(S.)	36.
Sheep and Cattle Contagious Disorders Prevention Continuance; continuing 11 & 12 Vict., c. 107 - - - - -	(U. K.)	71.
Sheriff of Westmoreland Appointment; to provide for the Appointment of Sheriff of the County of Westmoreland - - - -	(E.)	30.
Ships and Vessels (Piratical), to repeal 6 Geo. 4, c. 49, for encouraging the Capture or Destruction of, and to make other Provisions in lieu thereof - - - - -	(U. K.)	26.
— to provide for the Commencement of the preceding Act - - -	(U. K.)	27.
Shoreditch, to enlarge and extend 8 & 9 Vict., c. 101, for enabling the Commissioners of Her Majesty's Woods to construct a new Street from Spitalfields to - - - - -	(E.)	109.
Small Debts and Demands, to extend and amend 9 & 10 Vict., c. 95, for the more easy Recovery of - - - - -	(E.)	61.
Small Tenements Rating; for the better assessing and collecting the Poor Rates and Highway Rates in respect of Small Tenements -	(E.)	99.

	<i>Cap.</i>
Societies associated for Purposes of Religious Worship or Education, to render more simple and effectual the Titles by which they hold Real Property required for such Purposes - - - - -	(S.) 13. (E. & I.) 28.
Societies (Friendly), to consolidate and amend the Laws relating to - - - - -	(G. B. & I.) 115.
Spitalfields and Shoreditch New Street; to enlarge and extend 8 & 9 Vict., c. 101, for enabling the Commissioners of Her Majesty's Woods to construct a Road from Spitalfields to Shoreditch - - - - -	(E.) 109.
Stamp Duties, to repeal certain, and to grant others in lieu thereof; and to amend the Laws relating to the Stamp Duties - - - - -	(G. B. & I.) 97.
— on Proceedings in Courts of Law, to repeal, and to grant other Duties in lieu thereof - - - - -	(I.) 114.
Stock in Trade, to continue the Exemption of Inhabitants from Liability to be rated as such in respect of, or other Property, to the Relief of the Poor - - - - -	(E.) 50.
Sugar manufactured in the United Kingdom, to reduce the Duty of Excise on, and to impose a countervailing Duty on Sugar used in the brewing of Beer for Sale - - - - -	(U. K.) 67.
Summary Jurisdiction, for the further Extension of, in Cases of Larceny - - - - -	(E. & I.) 37.
— to consolidate and amend the Acts relating to certain Offences and other Matters as to which Justices of the Peace exercise a Summary Jurisdiction - - - - -	(I.) 102.
Sunday Fairs; to repeal an Exception in 27 Hen. 6, c. 5, concerning the Days whereon Fairs and Markets ought not to be kept - - - - -	(E.) 23.
Superior Courts of Common Law, for the Regulation of the Process and Practice in - - - - -	(I.) 18.
— to explain and amend the preceding Act - - - - -	(I.) 19.
Supplies, Appropriation of - - - - -	(U. K.) 107.

T.

Taxes (Assessed), to continue and amend the Acts for authorizing a Composition for - - - - -	(G. B.) 96.
Titles of Religious Congregations; to render more simple and effectual the Titles by which Congregations or Societies associated for Purposes of Religious Worship or Education hold Real Property required for such Purposes - - - - -	(S.) 13. (E. & I.) 28.
Town Councils, for enabling, to establish Public Libraries and Museums - - - - -	(E.) 65.
Towns and populous Places, to make more effectual Provision for regulating the Police of, and for paving, draining and improving the same - - - - -	(S.) 33.
Transfer of Improvement Loans; to authorize the Transfer of Loans for the Improvement of Land to other Land - - - - -	(I.) 113.
Trustee Act; to consolidate and amend the Laws relating to the Conveyance and Transfer of Real and Personal Property vested in Mortgagees and Trustees - - - - -	(E. & I.) 60.
Turnpike Acts Continuance; to continue certain Turnpike Acts in Great Britain, and to make further Provisions respecting Turnpike Roads in England - - - - -	(G. B.) 79.
Turnpike Road and Bridge Trusts; requiring the Transmission of annual Abstracts of Accounts and Statements of Trustees or Commissioners of Turnpike Roads and Bridges, to the Lord Lieutenant, to be laid before Parliament - - - - -	(I.) 4.
Turnpike Roads, to continue certain Acts for regulating - - - - -	(I.) 34.
— to continue 4 & 5 Vict., c. 59, for authorizing the Application of Highway Rates to - - - - -	(E.) 58.
See also Turnpike Acts Continuance.	
Tynemouth, confirming the Charter of Incorporation of - - - - -	(E.) 42.

U.

Union of Liberties with Counties; for facilitating the Union of Liberties with the Counties in which they are situate - - - -	(E.)	Cap. 105.
Unions, to make better Provision for the Contributions of, in School Districts, to the Common Funds of the respective Districts - -	(E.)	11.
— to authorize a further Advance of Money to certain distressed Poor Law Unions, and to make Provision for the Repayment of Advances made and authorized to be made to Poor Law Unions and other Districts - - - - -	(I.)	14.
Upton-cum-Chalvey Marriages Validity; to render valid certain Marriages solemnized in the new Church at Upton-cum-Chalvey, in the County of Buckingham and Diocese of Oxford - - - -	(E.)	38.
Usury Laws, to continue 2 & 3 Vict., c. 37, for exempting certain Bills of Exchange and Promissory Notes from the Operation of - -	(G. B. & I.)	56.

V.

Vestries and Vestry Clerks; to prevent the holding of Vestry or other Meetings in Churches, and for regulating the Appointment of Vestry Clerks - - - - -	(E.)	57.
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W.

Wales (Albert Edward Prince of), to enable Her Majesty to make Provision for the Residence of His Royal Highness in Marlborough House during the joint Lives of Her Majesty and His Royal Highness - - - - -	(U. K.)	78.
West India Appeals; to authorize the Establishment of Courts of Appeal for certain of Her Majesty's West India Colonies - -	(U. K.)	15.
Westmoreland (County of), to provide for the Appointment of Sheriff of - - - - -	(E.)	30.

Savings Banks Bill.

ARRANGEMENT OF CLAUSES.

- 9-G. 4. c. 92. ss. 6. 13., &c., and 7 & 8 Vict. c. 83. ss. 2. 6., repealed;
Sect. 1.
- National Debt Commissioners to appoint Treasurers of Savings
Banks, and prescribe Form of keeping Accounts, &c. ; 2.
- Treasurer, &c. not to hold other Office ; 3.
- Treasurer to give Security ; 4.
- Treasurer to attend at Savings Bank and receive and pay all Monies;
and send Accounts of Receipts and Payments ; 5.
- Trustees to send Account of Notices of Withdrawal to National Debt
Commissioners ; 6.
- No Person to have any Claim in respect of his Deposit unless made
at the Office. Receipt of Party sufficient Discharge to Treasurer.
Any Officer, except Treasurer, receiving Money guilty of Misde-
meanor ; 7.
- Power to Commissioners to appoint Inspectors ; 8.
- Appointment of Auditors by Trustees ; 9.
- Rules to provide for Production and Inspection of Books ; 10.
- Deposits not to exceed 30*l.* in any one Year, or beyond 100*l.* in the
whole, and Interest to cease when Deposits amount to 100*l.* ; 11.
- Not to affect Deposits of or above 100*l.* on 20th November 1850.
Treasurer not to receive fresh Deposits from Persons when Deposits
amount to 100*l.* ; 12.
- When Deposits and Interest amount to 100*l.* same may be invested
in the Funds ; 13.
- Funds of Friendly Societies invested with the Commissioners may be
converted into Stock ; 14.
- Depositors converting Deposits into Stock may receive Dividends
at Savings Bank Office, &c. ; 15.
- From and after 20th November 1850 Interest payable to Savings
Banks shall be at the Rate of 3*l.* per Cent. per Annum ; 16.
- Interest to Depositors not to exceed 2*l.* 15*s.* per Cent. ; 17.
- No Friendly Society in future to invest Funds with Commissioners ; 18.
- Declaration on future Investments to be in Form directed by Com-
missioners ; 19.
- No Person allowed to invest, &c. as Trustee, except on behalf of
Idiots, &c. ; 20.
- Charitable Societies may invest not exceeding 500*l.* ; 21.

Money invested by or for Minors when to be repaid; Minors of Fourteen may execute Power of Attorney; 22.

Depositor's Book to contain Copy of Rules. Duplicate Copy of certified Rules, &c. to be fixed in Office. Penalty on Secretary, &c. for not exhibiting Rules, &c. in Office; 23.

Payment and Withdrawal of Money from National Debt Commissioners; 24.

Trustees of Savings Banks or of Parochial Societies may receive Money for Purchase of Deferred Annuities, &c. Annuities to be contracted for by Treasurer, &c. on behalf of National Debt Commissioners. Money paid to Trustees on account of Purchase of Annuity to be kept distinct and paid to Account of Commissioners; 25.

Money payable on Death may be converted into Annuities for Life of Nominee; 26.

Treasury shall direct Use of Tables of the Value of Annuities as approved of by them; 27.

Repeal of 7 & 8 Vict. c. 83. s. 8., which prevents Annuity to be purchased of less than 4*l.*; 28.

Annuity of One Pound per Annum may be purchased; 29.

Repeal of 3 W. 4. c. 14. s. 3. and 7 & 8 Vict. c. 83. s. 9. as to taking Fees on Purchase of Annuity; 30.

Money paid for Deferred Annuity under this Act not returnable; 31.

National Debt Commissioners may grant Savings Bank Annuities; 32.

Commissioners may grant Immediate or Deferred Annuities to any Amount to Trustees of any Friendly or Charitable Society; 33.

Payment to Married Women of Annuities, when valid; 34.

Payment on Death of Depositor, being illegitimate; 35.

Messuages, &c. to vest in the Trustees; 36.

Trustees may dispose of Lands, &c.; 37.

Property of Savings Bank when closed to be sold, and Proceeds to be handed over to the National Debt Commissioners; 38.

Commissioners may close Account with Savings Bank if Provisions of Acts and Orders of Commissioners are not complied with; and not receive or pay Money; and may re-open Accounts; 39.

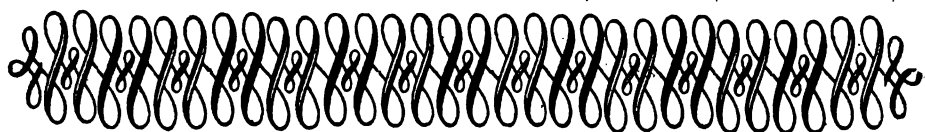
Provisions of 9 G. 4. c. 92., 3 W. 4. c. 14., 5 & 6 W. 4. c. 57., and 7 & 8 Vict. c. 83. extended to this Act; 40.

11 & 12 Vict. c. 133. to continue in force till 20th November 1850; 41.

Extent of Act; 42.

Amendment of Act; 43.

29 April 1850. 13 VICT.



A

B I L L

TO

Amend the Law relating to Savings Banks.

[Note.—The Words printed in *Italics* are proposed to be inserted
in the Committee.]

WHEREAS it is expedient to amend the Laws relating to Preamble.
Savings Banks, and to make other and additional Pro-
visions respecting Savings Banks, and the Purchase of
Government Annuities: Be it therefore enacted by the Queen's
most Excellent Majesty, by and with the Advice and Consent of
5 the Lords Spiritual and Temporal, and Commons, in this present
Parliament assembled, and by the Authority of the same, That so
much of an Act passed in the Ninth Year of the Reign of His late 9 G. 4. c. 92.
Majesty King George the Fourth, intituled "An Act to consolidate 9 G. 4. c. 92.
"and amend the Laws relating to Savings Banks," as enacts "that s. 6.
10 "no Person being Treasurer shall directly or indirectly have any
"Salary, Allowance, Profit, or Benefit beyond his actual Expenses,"
and also so much of the said last-mentioned Act as relates to Trustees
receiving any Sum or Sums of Money from Depositors for any Purpose
except to be invested with the Commissioners for the Reduction of
15 the National Debt, and so much of the said last-mentioned Act as 9 G. 4. c. 92.
relates to Central Savings Banks investing the Money of Branch s. 13., &c.
Banks, and also so much of the last-mentioned Act as relates to the
284. A Investment

Investment or Withdrawal of the Funds by the Trustees of a Savings Bank, and Appointment of Agents, and also so much of the said last-mentioned Act as relates to the Amount of Deposits by any one Depositor, and also so much of an Act passed in the Eighth Year of the Reign of Her present Majesty, intituled "An Act to 5
 7 & 8 Vict. c. 83. ss. 2. 6. " amend the Laws relating to Savings Banks, and to the Purchase
 " of Government Annuities through the Medium of Savings Banks," as relates to the Payment of Interest to the Trustees of Savings Banks, and also so much of the said last-mentioned Act as relates to limiting the Responsibility of Trustees and Managers of Savings 10
 Banks, shall be and the same are hereby from and after the *Twentieth*
 repealed. *Day of November One thousand eight hundred and fifty* repealed.

Commission-
 ers for Re-
 duction of
 National
 Debt to ap-
 point Trea-
 surers of
 Savings
 Banks;

II. And be it enacted, That the Commissioners for the Reduc-
 tion of the National Debt shall appoint a fit and proper Person
 to be Treasurer of each Savings Bank in the United Kingdom, and 15
 may remove any such Treasurer if they shall see Occasion so to do,
 and appoint another Person in his Place, and every such Treasurer
 shall be paid in such Manner and to such Amount as the said Com-
 missioners shall order out of the Monies standing on the Account of
 the said Commissioners in the Bank of England under the Title of the 20
 " Fund for the Banks for Savings;" and the said Commissioners shall
 forthwith publish a Notification of every such Appointment of Trea-
 surer in the London or Dublin Gazette, as the Case may be, and
 also in some Newspaper published in the City, Town, or County in
 which the Savings Bank for which such Treasurer shall be appointed 25
 is situate: Provided always, that each such Treasurer may from Time
 to Time, by Writing deposited with the Trustees and Managers, ap-
 point an Agent or Clerk to attend at the Savings Bank on his Behalf,
 and such Appointment shall be forthwith notified in Writing by him
 to the said Commissioners, and the Name of the Person acting as Trea- 30
 surer on each Day on which the Savings Bank is open shall be entered
 in the Minutes of that Day's Proceedings; and the said Commissioners
 may from Time to Time prescribe the Form in which the Accounts
 of each Savings Bank shall be kept, and the Time and Place when and
 where the Business of any Savings Bank shall be transacted shall be 35
 subject to the Approval of the said Commissioners.

and may pre-
 scribe Form
 of keeping
 Accounts,
 &c.

Treasurer,
 &c. not to
 hold other
 Office.

III. And be it enacted, That no such Treasurer, Agent, or Clerk
 shall hold any other Office, or act in any other Capacity, in the
 Savings Bank for which he may be appointed.

Treasurers
 to give Se-
 curity.

IV. And be it enacted, That the Treasurer of every Savings 40
 Bank shall, if the Commissioners for the Reduction of the National
 Debt

Debt think fit to require the same, give Security with Sureties to the Comptroller General of the said Commissioners in such Manner and Form as the said Commissioners from Time to Time shall order, for the due Performance of his Office, and for the due accounting for
 5 and Payment of all Monies received by him, or his Clerk or Agent, under this Act, and no Bond so to be given shall be chargeable with any Stamp Duty whatever, and such Bond shall, when executed, be deposited with the Commissioners for the Reduction of the National Debt.

- 10 V. And be it enacted, That from and after the *Twentieth Day of November One thousand eight hundred and fifty* the Treasurer of every Savings Bank appointed under this Act shall, either personally or by his Clerk or Agent, attend at the Office of the Savings Bank during all the Hours at which the said Savings
 15 Bank is open, and shall receive and pay all Monies which may be invested or withdrawn by any Depositor therein, and shall affix his Signature to every Investment or Withdrawal in the Book of the said Depositor, and shall on the Day following every Day on which the said Savings Bank is open send by Post to the said
 20 Commissioners for the Reduction of the National Debt an Account of all Receipts and Payments made on the Day preceding, countersigned by a Trustee or Manager, or by the Secretary or Clerk of the said Savings Bank, the said Account to be in such Form as the said Commissioners shall from Time to Time direct.
- 25 VI. And be it enacted, That a Return certified by a Trustee or Manager, or by the Secretary or Clerk, shall be sent on the Day following every Day on which any Savings Bank is open to the said Commissioners, containing an Account of all Notices of Withdrawal given by Depositors on the Day preceding, and such other Particulars
 30 and Information as the said Commissioners shall from Time to Time direct.

- VII. And be it enacted, That after the said *Twentieth Day of November One thousand eight hundred and fifty* no Depositor or Person contracting for an Annuity shall have any Claim on any
 35 Savings Bank in respect of any Deposit or Annuity unless such Deposit or Payment for the Annuity shall be made at the Office of the Savings Bank during the Hours for which such Bank shall be open; and on the Withdrawal of any Money a Receipt shall be given by the Party presenting such Book and receiving such
 40 Money, and such Receipt shall be a sufficient Discharge to the said Treasurer for the Sum therein expressed to be received; and if any Officer of any Savings Bank (except such Treasurer, his Clerk or Agent,) No Person to have any Claim in respect of his Deposit unless made at the Office. Receipt of Party sufficient Discharge to Treasurer. Any Officer, except Treasurer,

receiving
Money guilty
of Misdemeanor.

Agent,) shall receive any Sum of Money as a Deposit from or on account of any Depositor or Person desirous of becoming such, or for the Purchase of any Annuity, such Person shall, on being convicted thereof, be guilty of a Misdemeanor; and a Copy of these Provisions, with the Hours at which the Savings Bank is open, and the Name of the Treasurer, or of the Clerk or Agent acting for the Day, shall be exhibited in conspicuous Letters in the Office or Place where Deposits are received, or Annuities contracted for.

Power to
Commissioners to
appoint Inspectors.

VIII. And be it enacted, That it shall and may be lawful for the Commissioners for the Reduction of the National Debt to appoint, when and as often as they shall think proper, any Person or Persons to be Inspector or Inspectors, to inspect, examine, and audit the Accounts of any Savings Bank in such Manner and also for such other Purposes as the said Commissioners shall direct; and every such Inspector shall be paid in such Manner and to such Amount as the said Commissioners shall order, out of the Monies standing on the Account of the said Commissioners in the Bank of England under the Title of the "Fund for the Banks for Savings;" and every such Inspector shall have Power to inspect and require the Production before him of any Book or Books belonging to the said Savings Bank, and shall transmit to the said Commissioners a Statement of the Result of such Inspection, Examination, and Audit, and make such Report on Matters referred to them, in such Form as the said Commissioners shall direct.

Appointment
of Auditors
by Trustees.

IX. And be it enacted, That the Trustees of each Savings Bank shall as soon as conveniently may be after the passing of this Act, and from Time to Time in case of a Vacancy, appoint an Auditor or Auditors to audit the Accounts of the said Institution, as well as to examine and inspect the Books of the several Depositors, and the said Trustees shall immediately after such Appointment transmit the Signature, Name, and Address of the said Auditor or Auditors to the Commissioners for the Reduction of the National Debt; and the Trustees of every Savings Bank shall cause the annual and other Statements required to be transmitted under the Acts relating to Savings Banks to be certified and verified by the Auditor or Auditors appointed by the said Trustees, in addition to the Attestation by Trustees and Managers now required by the said Acts, and shall also cause a Certificate from the said Auditor or Auditors as to the Result of his or their Examination of such of the Depositors Books as may have been produced to him or them for Examination to be transmitted with the said annual Statement to the said Commissioners: Provided always, that it shall be lawful for the Trustees of any such Savings Bank to agree with the Trustees of any other Savings Bank or Banks

Annual
Statements,
&c. to be
certified by
Auditors.

as

as to the Appointment of a common Auditor or Auditors, and the Auditor or Auditors so appointed for all the said Banks shall be deemed and taken, as soon as the Signature, Name, and Address shall have been transmitted by each such Bank to the said Commissioners, to be the Auditor or Auditors of each such Bank.

X. And be it enacted, That the Rules of every Savings Bank shall specify a Number of Days not less than Two in every Year, ending on the Twentieth Day of November, on which the Book of every Depositor shall be produced at the Office of the said Savings Bank for the Purpose of being inspected, examined, and verified with the Books of the Institution by the Auditor or Auditors appointed by the said Trustees; and in case the said Book of any Depositor shall not be produced on or before the last of the Days mentioned in any one Year, ending as aforesaid, the Account of such Depositor shall, at the Discretion of Two or more Trustees or Managers, be closed, and no Interest shall be payable from the Twentieth Day of November preceding to any Depositor whose Book shall not have been so produced: Provided nevertheless, that any Two Trustees or Managers shall have the Power to re-open the said Account, and to allow the said Interest as if the same had not been closed, if the said Trustees or Managers shall be satisfied that such Depositor was prevented by some sufficient Cause from producing the Deposit Book at the Time so specified, and an Extract of this Provision shall be enrolled as one of the Rules of every Savings Bank.

Rules to provide for Production and Inspection of Books.

XI. And be it enacted, That from and after the *Twentieth Day of November One thousand eight hundred and fifty* it shall not be lawful for the Treasurer of any Savings Bank to receive from any Depositor any Sum or Sums of Money exceeding *Thirty Pounds* in the whole, whether previously withdrawn or not, in any One Year, ending on the Twentieth Day of November, nor to receive from any Depositor any Sum or Sums of Money whatever which shall make the Sum to which such Depositor shall be entitled exceed the Sum of *One hundred Pounds* in the whole, Principal and Interest included: Provided always, that whenever the Sum standing in the Name of any Depositor shall amount in the whole to *One hundred Pounds*, Principal and Interest included, no Interest shall thenceforth be payable on any such Deposit as long as it shall continue to amount to the said Sum of *One hundred Pounds*.

Deposits not to exceed 30*l.* in any One Year, or beyond 100*l.* in the whole.
No Interest payable when Deposits amount to 100*l.*

XII. And be it enacted, That nothing in this Act contained shall prevent or be construed to prevent the paying Interest to any Depositor whose Deposit, though exceeding *One hundred Pounds*, on the *Twentieth Day of November One thousand eight hundred and fifty*, shall

Not to affect Deposits of or above 100*l.* on 20th Nov. 1850.

Treasurer
not to receive
fresh De-
posits from
Persons when
Deposits
amount to
100*l*.

shall have been legally made : Provided always, that the said Treasurer shall not from and after that Day receive from any such Depositor any fresh or additional Deposits so long as the Sum to which such Depositor shall be entitled shall amount to the Sum of *One hundred Pounds*.

5

When De-
posits and
Interest
amount to
100*l* same
may be in-
vested in the
Funds.

XIII. And be it enacted, That from and after the *passing of this Act* when the Amount of Deposits and Interest due to any present or future Depositor, Friendly or Charitable Society, shall amount to the Sum of One hundred Pounds or upwards, the same may, at the Request of such Depositor, or of the Treasurer or Trustees of such 10 Friendly or Charitable Society, and under such Regulations as the said Commissioners may think fit, be converted by the said Commissioners or by the said Comptroller General or Assistant Comptroller into any Three per Centum or Three and a Quarter per Centum Annuities transferrable at the Bank of England in the Name of such Depositor, 15 Treasurer, or Trustees at the average Price of Stock then held by the said Commissioners ; and at the End of every Quarter of a Year ending Fifth of January, Fifth of April, Fifth of July, and Tenth of October the said Commissioners shall cause such Price as aforesaid to be certified by the said Comptroller General or Assistant Comp- 20 troller, and published in the London and Dublin Gazettes, and any such Depositor, Treasurer, or Trustees as aforesaid may during the succeeding Quarter convert their Deposits into the said Annuities at the Price so certified and published in the Gazette ; and the said Commissioners shall transfer or cause to be transferred into the Name 25 of such Depositor, Treasurer, or Trustees making such Request from the Stock Account standing in the Names of the said Commissioners in the Books of the Bank of England under the Title of "The Fund for the Banks for Savings" the Amount of Three per Centum or Three and a Quarter per Centum Annuities to which such Depo- 30 sitor, Treasurer, or Trustee shall be entitled, or the said Commissioners shall purchase or cause to be purchased in the Name or Names of the said Depositor, Treasurer, or Trustees such Amount of Stock as aforesaid.

Funds of
Friendly So-
cieties in-
vested with
the Commis-
sioners may
be converted
into Stock.

XIV. And be it enacted, That the Funds invested by any Friendly 35 Society with the Commissioners for the Reduction of the National Debt may, at the Request of any Two or more Trustees of such Friendly Society, be converted into any Three per Centum or Three and a Quarter per Centum Annuities transferrable at the Bank of England in manner and at the Price herein-before mentioned, and the 40 said Commissioners shall transfer or cause to be transferred into the Names of the said Trustees making such Request from the Stock standing in their Names in the Books of the Bank of England under the

the Title of the "Fund for Friendly Societies" the Amount of Three per Centum or Three and a Quarter per Centum Annuities to which such Trustees shall be entitled, or the said Commissioners shall purchase or cause to be purchased in the Names of the said Trustees such
 5 Amount of Stock as aforesaid.

XV. And be it enacted, That if any Depositor shall request his Deposits to be converted into Stock as aforesaid, and the Dividends to be received at a Savings Bank, and notify the same to the Treasurer of the Savings Bank, the said last-mentioned Commissioners
 10 shall, under such Regulations as they may think fit, forthwith open a Stock Account in the Name of such Depositor in Books at the Office of the said Commissioners, and the said Commissioners shall then cause the like Amount of Stock to be transferred from the Account standing in their Names at the Bank of England under the Title of
 15 "The Fund for the Banks for Savings" to a separate Account to be opened in the Books of the Bank of England under the Title of "Savings Banks Depositors Stock Account," and the Dividends arising therefrom shall from Time to Time be paid to such Holder of Stock by the Treasurer of the Savings Bank in which he had been
 20 a Depositor; and if the said Depositor shall be desirous either at the Time of the Conversion of his Deposits into Stock, or at any subsequent Time, to sell the said Stock standing to his Account in the Books of the said Commissioners as aforesaid, or that any other Person should receive the Dividends thereof, the said Commissioners
 25 shall forthwith at his Request transfer into his Name in the Books of the Bank of England the Amount of Stock to which he is entitled, and the Power of Attorney for the Sale of the said Stock, and the Receipt of the Dividends thereof, shall be free from Stamp Duty.

Depositors converting Deposits into Stock, may receive Dividends at Savings Bank Office, &c.

XVI. And be it enacted, That on the *Twentieth Day of November*
 30 *One thousand eight hundred and fifty* the Interest now payable on the Receipts issued to the Trustees of Savings Banks by the Commissioners for the Reduction of the National Debt shall cease, and that from and after the said Twentieth Day of November all Receipts issued to the Trustees of Savings Banks by the said Commissioners,
 35 whether prior or subsequent to that Day, shall carry Interest at the Rate of Three Pounds per Centum per Annum; and that from and after the said Twentieth Day of November, upon the Payment of any Sum or Sums of Money into the Bank of England or Ireland to the Account of any Savings Bank, it shall be lawful for the Officer or Officers of
 40 the said Commissioners in that Behalf, and he and they is and are hereby authorized and empowered, to issue upon every such Payment being made a Receipt, signed by one of the Cashiers of the Governor and Company of the Bank of England or Ireland respectively, for the Amount of such Payment, carrying Interest at the Rate of Three
 284. Pounds.

From and after 20th Nov. 1850 Interest payable to Savings Banks shall be at the Rate of 3l. per Cent. per Annum.

Pounds per Centum per Annum from the Day of such Payment inclusive, payable with the Principal at the Banks of England or Ireland respectively whenever the same shall be required or drawn for, and such Receipt shall be dated on the Day on which the Payment of any such Sum or Sums of Money shall be made respectively, and 5 every such Receipt shall be in such Form as shall be from Time to Time directed by the said Commissioners; and the Principal and Interest of all Sums mentioned in any Receipt shall be charged and chargeable upon, and the same are hereby charged upon and made payable out of, all or any Monies standing in any Account in the 10 Names of the said Commissioners, or out of any Monies produced by the Sale of any Stock or Annuities, Funds, or Exchequer Bills, standing in their Names in the Books of the Bank of England or Ireland respectively, as the said Commissioners shall from Time to Time direct: Provided always, that no fractional Parts less than One Penny 15 shall be allowed or paid as Interest upon the Principal Sum contained in any Receipt under the Provisions of this Act.

Interest to
Depositors
not to exceed
2l. 15s. per
Cent.

XVII. And be it enacted, That from and after the *Twentieth Day of November One thousand eight hundred and fifty* the Interest payable to the Depositors by the Trustees or Managers of any Savings 20 Bank shall not exceed the Rate of *Two Pounds Fifteen Shillings* per Centum per Annum.

No Friendly
Society in
future to in-
vest Funds
with Com-
missioners,
except, &c.

XVIII. And be it enacted, That no Friendly Society enrolled or certified or to be certified under the Provisions of any Act relating to Friendly Societies shall from and after the passing of this Act be 25 entitled or authorized to pay directly into the Bank of England any Sum of Money to the Account of the Commissioners for the Reduction of the National Debt, except so much as may be hereafter received on account of Assurances made previous to the passing of this Act from any Society which has already invested its Funds, or any Part 30 thereof, with the said Commissioners.

Declaration
on future In-
vestments to
be in Form
directed by
Commission-
ers.

XIX. And be it enacted, That from and after the *passing of this Act* a Declaration shall be made by the Trustees of every Friendly Society, on the Payment into the Bank of England of any Sum of Money to the Account of the said Commissioners, that such Payment 35 is on account of Assurances made previous to the passing of this Act, in such Form as the said Commissioners shall from Time to Time direct; and in case such Declaration shall not be true, then and in every such Case the Sum of Money paid on such Declaration shall be forfeited to the said Commissioners, to be applied by them in the 40 Manner directed by the said Act passed in the Ninth Year of the Reign of King George the Fourth, intituled "An Act to consolidate and amend the Laws relating to Savings Banks."

XX. And

XX. And be it enacted, That from and after the *passing of this Act* it shall not be lawful for the Treasurer of any Savings Bank, or his Clerk or Agent, to receive any Sum of Money by way of Deposit or for the Purchase of any Annuity from any Person or Persons acting
 5 as Trustee or Trustees for or on account of or on behalf of any Person, except such as shall be under any of the Disabilities herein-after mentioned, namely, Idiocy, Lunacy, or Unsoundness of Mind; provided that such Trustee or Trustees shall make such Declaration on behalf of such Person under any of the Disabilities aforesaid, and
 10 subject to the like Conditions as by the said Act of the Ninth of George the Fourth, Chapter Ninety-two, is required in the Case of any Person making any Deposit on his or her own Account; and all Deposits made by or Annuities granted to any such Trustee or Trustees shall be inserted in the Books of such Savings Bank in the joint
 15 Names of such Trustee or Trustees and of the Person for whom such Trustee or Trustees shall act, and the Receipt alone of such Trustee or Trustees, or of the Survivors or Survivor of them, or the Executors or Administrators of any sole Trustee or surviving Trustee, shall be a good and valid Discharge to the Treasurer of such Savings Bank.

No Person allowed to invest, &c. as Trustee, except on behalf of Idiots, &c.

20 XXI. And be it enacted, That from and after the *passing of this Act* it shall and may be lawful for the Trustees or Treasurers of any Charitable or Provident Institution or Society, or charitable Donation or Bequest for the Maintenance, Education, or Benefit of the Poor, from Time to Time to subscribe the whole or any Part of the Funds
 25 of such Institution or Society into the Funds of any Savings Bank to an Amount not exceeding in any One Year ending on the Twentieth of November the Sum of *Five hundred Pounds*.

Charitable Societies may invest not exceeding 500*l*.

XXII. And be it enacted, That any Sum or Sums of Money invested after the passing of this Act by or for the Benefit of any
 30 Person under the Age of Fourteen Years shall not be repaid to such Party before he or she attain the Age of Fourteen Years; but in the event of such Person leaving the United Kingdom, then, upon Proof thereof to the Satisfaction of the Trustees or Managers, the same may be paid to the Parents, Guardian, or Friend of such Party for his or
 35 her Benefit: Provided always, that it shall and may be lawful for any Minor of the Age of Fourteen to execute a Power of Attorney for the Receipt of any Money deposited or to be deposited by him or her in any Savings Bank, or of any Annuity granted or to be granted to him or her through the Medium of a Savings Bank or Parochial
 40 Society.

Money invested by or for Minors, when to be repaid.

Minors of Fourteen may execute Power of Attorney.

XXIII. And be it enacted, That every Depositor in every Savings Bank on his first Deposit shall be furnished by the Trustees and
 284. C Managers

Depositor's Book to contain Copy of Rules.

Duplicate
Copy of cer-
tified Rules,
&c., to be
fixed in
Office.

Penalty on
Secretary,
&c. for not
exhibiting
Rules, &c.
in Office.

Payment and
Withdrawal
of Money
from National
Debt Com-
missioners.

Trustees of
Savings
Banks or of
Parochial
Societies may
receive
Money for
Purchase of
Deferred An-
nuities, &c.

Annuities
to be con-
tracted for by
Treasurer,

Managers with a Deposit Book, in which shall be printed at length a Copy of the certified Rules of the Savings Bank in which he shall make such Deposit; and that a Duplicate Copy of the certified Rules and of every Alteration and Amendment thereof, and Duplicate Copy of every annual Statement or Account required by and furnished to the said Commissioners, signed by Two Trustees or Managers of any such Savings Bank, shall be from Time to Time exhibited and affixed in the Office of such Savings Bank by the Secretary or Clerk, and shall be open to the Inspection of every Depositor or Person intending to be such; and in case such Secretary or Clerk shall neglect to exhibit and affix the Copy of the Rules, Alterations, and Amendments and annual Statements as aforesaid, and to keep the same so exhibited and affixed in the said Office during the Time it is open for the Transaction of Business, he shall be liable to a Penalty of *One Pound* for every Day on which such Copy of Rules, Alterations, and Amendments and annual Statements shall not be affixed and exhibited as aforesaid, to be deducted by the Trustees from the first Payment of any Salary which may be thereafter due to him.

XXIV. And be it enacted, That the Payment of Money to and the Withdrawal of the same from the Commissioners for the Reduction of the National Debt on account of Deposits in any Savings Bank, or of Annuities granted through the Medium of Savings Banks or Parochial Societies, shall be made in such Manner and under such Regulations as the said Commissioners shall from Time to Time think fit.

XXV. And be it enacted, That from and after the *Twentieth Day of November One thousand eight hundred and fifty*, or as soon after as the Commissioners for the Reduction of the National Debt shall think fit, of which due Notice shall be given in the London and Dublin Gazettes, it shall and may be lawful for any Two Trustees of a Savings Bank, or Two Trustees or Managers of a Parochial Society legally established, to enter into a Contract with any Person wishing to contract for the Purchase of a Deferred Life Annuity, or for a Deferred Annuity for a Term of Years, or for an Immediate or Deferred Annuity depending on joint Lives with Benefit of Survivorship, or for the Payment of a Sum of Money on his or her Death, provided that the Party contracting for such Payment on Death shall at the same Time purchase an Immediate or Deferred Annuity depending upon his or her own Life, as the Case may be, and that the Money payable on Death do not exceed the Amount of the Sum paid down for the said Annuity and Payment on Death together, and shall in no Case exceed *One hundred and fifty Pounds* in the whole, such Annuities and Payments at Death to be contracted for by such Trustees or

or Managers on behalf of the Commissioners for the Reduction of the National Debt, and the said Annuities and Payments on Death are hereby made chargeable upon the Consolidated Fund of the United Kingdom, under the Limitations and Restrictions contained in an Act 5 of the Third Year of the Reign of His late Majesty King William the Fourth, intituled "An Act to enable Depositors in Savings Banks " and others to purchase Government Annuities through the Medium " of Savings Banks, and to amend an Act of the Ninth Year of " His late Majesty to consolidate and amend the Laws relating to 10 " Savings Banks," and also in a certain other Act of the Eighth Year of the Reign of Her present Majesty, intituled "An Act to " amend the Laws relating to Savings Banks, and to the Purchase " of Government Annuities through the Medium of Savings Banks," except as herein-after is excepted; and all Sums of Money from Time 15 to Time paid in respect of such Contract shall be paid to the Treasurer of such Savings Bank, or to the said Trustees or Managers of any such Parochial Society, and all Sums of Money received on account of the Purchase of every such Annuity or Payment on Death shall be kept separate and distinct from the other Funds of the Institution, and be from Time to Time, when received, forthwith paid into 20 the Bank of England or Ireland to the Account of the Commissioners for the Reduction of the National Debt, and the Cashiers of the Bank of England and Ireland are hereby required to receive all such Monies, and to place the same to a separate Account to be opened at the Bank 25 of England and Bank of Ireland with the said Commissioners, to be intituled "The Fund for purchasing Deferred Life Annuities, or the " Fund for purchasing Annuities for Terms of Years, or the Fund for " Payments on Death on account of Savings Banks and Parochial " Societies," (as the Case may be,) and the said Commissioners shall 30 in like Manner keep distinct and separate Accounts of all Monies so placed to the said Accounts pursuant to the Provisions of this Act.

&c. on behalf of Commissioners for the Reduction of the National Debt.
3 W. 4. c. 14.

Money paid to Trustees on account of Purchase of Annuity to be kept distinct and paid to Account of Commissioners.

XXVI. And be it enacted, That if any Person having contracted for the Payment of a Sum of Money on Death in the Manner hereinbefore provided shall at any Time by any Note in Writing in a Form 35 approved of by the said Commissioners, and deposited with the said Trustees or Managers or Commissioners through whom the Purchase was made, direct that the Sum payable at his or her Death be commuted for an Annuity for Life, or for a fixed Term of Years, to commence at his or her Death and to be paid to any Person nominated in the said Writing, such Commutation shall take effect when 40 approved of by the said Commissioners, or by the Comptroller General or Assistant Comptroller, and the Person so nominated shall be entitled to such Life Annuity or Annuity for a certain Term of Years to commence at the Death of the Party nominating as shall be the

Money payable on Death may be converted into Annuities for Life of Nominee.

the Equivalent to such Sum of Money so payable after Death as aforesaid.

Treasury shall direct Use of Tables of the Value of Annuities as approved of by them.

XXVII. And be it enacted, That for the better carrying this Act into execution it shall and may be lawful for the Commissioners of Her Majesty's Treasury, from Time to Time as they shall think fit, 5 to direct the Commissioners for the Reduction of the National Debt to use and adopt such Tables as shall from Time to Time be authorized and approved of by the said Commissioners of the Treasury for ascertaining the Values of Deferred Annuities depending on the Continuance of single Lives, or of joint Lives with Benefit of Survivorship 10 and also such Tables of the Values of Deferred Annuities for Life or for a Term of Years as may be granted according to the Provisions of this Act, as well as Tables for Payment of Sums of Money at Death, and such respective Tables shall be valid and effectual for the Purposes of this Act; and all Annuities for Lives or Years to be 15 purchased under the Provisions of this Act shall be purchased, and all Payments for Sums to be secured at Death shall be made, according to the Values stated in such Tables respectively, so long as the same shall remain in force; and it shall be lawful for the said Commissioners of the Treasury to alter, revoke, and recal all or any of the 20 said Tables from Time to Time, and to direct the Use and Adoption of such other Tables in lieu thereof as shall be approved of by the said Commissioners of the Treasury, and also to discontinue, by any Warrant under their Hands addressed to the said Commissioners for the Reduction of the National Debt, the granting of any Deferred 25 Annuities for Lives or Years or the Payments at death under the Provisions of this Act, if they shall think it expedient so to do: Provided always, that the said Commissioners for the Reduction of the National Debt shall, previous to the Adoption and using of such Tables and Discontinuance of the granting of such Annuities or Payments as 30 aforesaid, give Notice thereof from Time to Time in the London and Dublin Gazettes in such Form and Manner as to the said last-mentioned Commissioners shall seem fit and proper.

Repeal of 7 & 8 Vict. c. 83. s. 8. which prevents Annuity to be purchased of less than 4l.

XXVIII. And be it enacted, That from and after the *passing of this Act* so much of the said Act passed in the Eighth Year of Her 35 present Majesty as provides that no Annuity or Annuities sold or granted to or possessed by any one Individual under the said last-mentioned Act, or the said Act passed in the Fourth Year of the Reign of His late Majesty, shall be less than Four Pounds per Annum, shall be repealed.

40

Annuity of 1l. per

XXIX. And be it enacted, That every Annuity to be hereafter sold or granted to any one Individual under the said last-mentioned Acts or this

this Act shall be for a Sum of *One Pound* per Annum, or of some Multiple thereof without any fractional Sum less than *One Pound*, and shall not exceed in the whole the Sum of *Thirty Pounds* per Annum, and the Purchase Money for every such Annuity not amounting to
 5 *Four Pounds* per Annum shall be paid in One single Sum and not by annual Payments.

XXX. And be it enacted, That from and after the *passing of this Act* so much of the said Act passed in the Third Year of the Reign of His late Majesty King William the Fourth, and so much of the
 10 said Act passed in the Eighth Year of the Reign of Her present Majesty, as authorizes the taking any Sum for Admission Fee or otherwise on entering into any Contract for the Purchase of any Annuity under either of the said last-mentioned Acts shall be repealed.

Repeal of
 3 W. 4. c. 14.
 s. 3. and
 7 & 8 Vict.
 c. 89. s. 9. as
 to taking
 Fees on Pur-
 chase of An-
 nuity.

XXXI. And be it enacted, That no Money which shall have been
 15 paid as the Consideration for any Deferred Annuity, granted under the Provisions of this Act, shall be returnable to the Executors or Administrators of the contracting Party if he or she should die before the said Deferred Annuity shall become payable.

Money paid
 for Deferred
 Annuity
 under this
 Act not
 returnable.

XXXII. And be it enacted, That it shall and may be lawful for
 20 the Commissioners for the Reduction of the National Debt to grant Annuities under and subject to the Provisions contained in the said herein-before mentioned Acts passed in the Third Year of King William the Fourth and the Eighth Year of Her present Majesty or this Act, and that any Person having contracted for the Purchase of
 25 any Annuity under the Provisions of any of the said Acts with the Trustees of a Savings Bank or the Trustees of any Parochial Society may make the future annual and other Payments, and receive the Annuity so contracted for as aforesaid, at the Office of the said Commissioners under such Regulations as the said Commissioners shall
 30 from Time to Time direct.

Commission-
 ers of the
 National
 Debt may
 grant Savings
 Bank Annui-
 ties.

XXXIII. And be it enacted, That it shall be lawful for the Com-
 missioners for the Reduction of the National Debt, if they shall think fit, to grant, under the Provisions of the said recited Acts, Immediate or Deferred Annuities to any Amount for Terms of Years to the
 35 Trustees of any Friendly or Charitable Society whose Rules have been approved of by the Registrar of Friendly Societies in England, Scotland, or Ireland, on a Declaration to be made in such Form as the said Commissioners shall direct, provided that no one Person shall receive a greater Sum in any one Year than *Thirty Pounds* out of the
 40 Annuities so purchased.

Commission-
 ers may grant
 Immediate
 or Deferred
 Annuities to
 any Amount
 to Trustees
 of any
 Friendly or
 Charitable
 Society.

Payment to
Married
Women of
Annuities,
when valid.

XXXIV. And whereas Annuities under the said recited Acts may have been purchased and may be purchased under the said recited Acts or this Act by or on behalf of Women who may be married, or on account of Women who may afterwards marry: Be it enacted, That it shall be lawful for the Treasurer of any Savings Bank, or the 5 Trustees or Managers of any Parochial Society, or the Commissioners for the Reduction of the National Debt, to pay any such Annuity to any such Woman notwithstanding her Marriage, unless the Husband of such Woman shall give to such Treasurer, or to such last-mentioned Trustees or Managers, or the said Commissioners, Notice in Writing of 10 such Marriage, and shall require Payment to be made to him.

Payment on
Death of
Depositor,
being illegitimate.

XXXV. And be it enacted, That if any Depositor, being illegitimate, shall die intestate, leaving any Person or Persons who but for the Illegitimacy of such Depositor would be entitled as next of Kin to the Money due to such deceased Depositor, it shall be lawful for 15 the Treasurer, with the Authority in Writing of the Barrister appointed to certify the Rules of Savings Banks, to pay the Money due to such deceased Depositor to such One or more of the Persons who in the Opinion of the Trustees or Managers would have been entitled to the same as next of Kin if the said Depositor had been legitimate.

Messuages,
&c. to vest
in the Trustees.

XXXVI. And be it enacted, That all Messuages, Lands, and 20 Tenements already or which may be hereafter purchased by the Trustees of any Savings Bank, out of the Funds of such Institution, shall vest in or belong to the Trustees thereof for the Time being, and their Successors, in trust for the said Savings Bank, and 25 for the like Estate and Interest, and subject to all the Covenants, Conditions, and Agreements on which the same are or may be respectively holden.

Trustees may
dispose of
Lands, &c.

XXXVII. And be it enacted, That it shall be lawful for the Trustees of any Savings Bank, with the Consent in Writing of the 30 Commissioners for the Reduction of the National Debt, or the said Comptroller General or Assistant Comptroller for the Time being, to sell and dispose of all Messuages, Lands, and Tenements which may be vested in them under the Provisions of this Act, and to convey the same so sold accordingly, and the said Trustees shall stand possessed 35 of the Proceeds thereof as Part of the Funds of the said Savings Bank.

Property of
Savings Bank
when closed
to be sold
and Proceeds
to be handed
over to the

XXXVIII. And be it enacted, That in case any Savings Bank shall have been or may hereafter be finally closed for the Receipt of Deposits, the Trustees thereof shall and they are hereby required, at the Request of the said Commissioners or the said Comptroller General 40 or Assistant Comptroller, to sell and dispose of all Messuages, Lands, and

and Tenements, and all the Personal Estate of what Nature or Kind soever, which may be vested in them under the Provisions of the said recited Acts or this Act, and to pay over the Proceeds thereof, after deducting all legal Claims on them as such Trustees as aforesaid, to the Account of the said Commissioners in the Bank of England under the Title of the "Fund for the Banks for Savings."

Commissioners for the Reduction of the National Debt.

XXXIX. And be it enacted, That if it shall appear to the Satisfaction of the Commissioners for the Reduction of the National Debt that the Clauses of the said recited Acts and this Act, or the Orders, Directions, and Regulations of the said Commissioners, signified by the Comptroller General or Assistant Comptroller to the Trustees or Managers of any Savings Bank, have not been complied with, it shall and may be lawful for the said Commissioners, if they shall so think fit, to close the Account of the said Savings Bank, and to direct that no further Sum shall be received at the Bank of England or Ireland from such Savings Bank to the Account of the Commissioners, and that no Money shall be paid by the said Commissioners to the Trustees or Treasurer of the said Savings Bank, until such Time as such Commissioners shall think fit: Provided always, that the said Commissioners may re-open and allow the growing Interest of such Accounts during the Time of such Discontinuance, and authorize the Receipt of Money at the Bank of England or Ireland, and Payment of Money to the said Trustees or Treasurer, whenever the said Commissioners shall think fit so to do, upon such Trustees or Managers complying with the Directions of such Commissioners, and the said Commissioners shall forthwith publish a Notification of such Account being closed, or of the same being re-opened, in the London or Dublin Gazette, as the Case may be, and also in some Newspaper published in the City, Town, or County in which the said Savings Bank shall be established.

Commissioners may close Account with Savings Bank, if Provisions of Acts and Orders of Commissioners are not complied with; and not receive or pay Money.

Commissioners may re-open Accounts.

XL. And be it enacted, That all the Provisions of the Acts now in force relating to Savings Banks, and to the Purchase of Government Annuities through the Medium of Savings Banks, so far as the same or any Part thereof may or can be applicable to the Purposes of this Act, shall extend and apply thereto in such and the same Manner as if the Provisions of the said Acts had been expressly re-enacted herein.

Provisions of 9 G. 4. c. 92., 3 W. 4. c. 14., 5 & 6 W. 4. c. 57., and 7 & 8 Vict. c. 83., extended to this Act.

XLI. And be it enacted, That the Act made and passed in the Session holden in the Eleventh and Twelfth Years of the Reign of Her present Majesty, intituled "An Act to amend the Laws relating to Savings Banks in Ireland," shall continue in force until the Twentieth Day of November One thousand eight hundred and fifty.

11 & 12 Vict. c. 193. to continue in force till 20th Nov. 1850.

Extent of
Act.

XLII. And be it enacted, That this Act shall extend to Great Britain and Ireland, Berwick-upon-Tweed, and the Islands of Guernsey, Jersey, and Isle of Man.

Act may be
amended.

XLIII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament. 5

Savings Banks.

A

B I L L

To amend the Law relating to Savings
Banks.

(Prepared and brought in by
The Chancellor of the Exchequer and
Mr. Attorney General.)

Ordered, by The House of Commons, to be Printed,
29 April 1850.

284.

Under 3 oz.

9 August 1850. 13 & 14 VICT.



(Ireland.)

A

B I L L

TO

Continue the Act for amending the Laws relating
to Savings Banks in Ireland.

[Note.—The Words printed in *Italics* are proposed to be inserted
in the Committee.]

WHEREAS an Act was passed in the Twelfth Year of the Preamble.
Reign of Her Majesty, intituled “An Act to amend the 11 & 12 Vict.
“Laws relating to Savings Banks in Ireland,” and it is c. 133.
expedient that the same should be continued: Be it enacted by the
5 Queen’s most Excellent Majesty, by and with the Advice and Con-
sent of the Lords Spiritual and Temporal, and Commons, in this
present Parliament assembled, and by the Authority of the same,
That the said Act shall be continued to the *First Day of August in* Recited Act
the Year One thousand eight hundred and fifty-two. continued.

Savings Banks.

(Ireland.)

A

B I L L

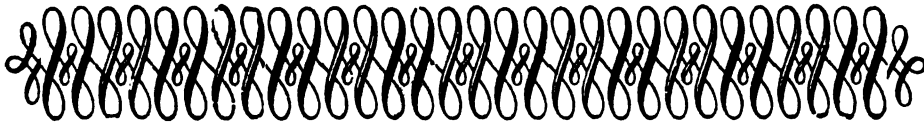
To continue the Act for amending the
Laws relating to Savings Banks in
Ireland.

*Ordered, by The House of Commons, to be Printed,
9 August 1850.*

692.

Under 1 oz.

7 March 1850. 13 VICT.



A

B I L L

TO

Make better Provision for the Contributions of
Unions and Parishes in School Districts to the
common Funds of the respective Districts.

[Note.—The Words printed in *Italics* are proposed to be inserted
in the Committee.]

WHEREAS by the Act passed in the Eighth Year of Her Majesty, intituled “An Act for the further Amendment
“ of the Laws relating to the Poor in England,” and by
the Act passed in the Twelfth Year of the Reign of Her Majesty,
5 intituled “An Act to amend the Law for the Formation of Districts
“ for the Education of Infant Poor,” Provisions are made for the For-
mation of School Districts for the Management of certain Infant Poor
by the Combination of Unions and Parishes into such Districts: And
whereas it is by the said first-recited Statute enacted, “that the
10 “ Expenses incurred by any District Board in the Purchase or Hire
“ of any Building or Buildings to be used as a School, or in erecting,
“ repairing, adding to, or fitting up any Building, and in the Pur-
“ chase of Utensils and Materials for the Employment of the Inmates
“ of such School, or of Books and other Objects and Things
15 “ necessary for the Instruction of such Inmates, and the Salaries
“ of the Officers and Servants of the Establishment, and all other
“ Expenses incurred on the common Account of the Parishes or
117. “ Unions,

Preamble.
7 & 8 Vict.
c. 101.
11 & 12 Vict.
c. 82.
7 & 8 Vict.
c. 101. s. 47.

“ Unions, or Parishes and Unions, so united for the Management of
 “ any Class of Infant Poor, or incidental to the Discharge of the
 “ Duties of such District Board, shall be paid by such Unions in the
 “ Proportion of the Averages last declared for every such Union, and
 “ by such Parishes in the Proportion of the average Expenditure of 5
 “ every such Parish for the like Period and Purposes as those to
 “ which the declared Averages of such Unions shall relate; and the
 “ said Commissioners shall from Time to Time, by Order under their
 “ Hands and Seal, ascertain and declare the Proportion and Rates of
 “ Contribution in the above respects of every such Parish and Union:” 10

And whereas such Provision for the Contributions of the several
 Unions and Parishes in such Districts is inconvenient, and it is desirable
 that the same should be repealed, and other Provisions should be
 enacted for the Purpose aforesaid: Be it therefore enacted by the
 Queen's most Excellent Majesty, by and with the Advice and Consent 15
 of the Lords Spiritual and Temporal, and Commons, in this present
 Parliament assembled, and by the Authority of the same, That after
 the *passing of this Act* so much of the said first-recited Act as pro-
 vides for the Contribution of the Unions and Parishes comprised in
 any such School District shall be and the same is hereby repealed. 20

Repeal of
 7 & 8 Vict.
 c. 101. s. 47.

The Mode
 in which the
 Averages of
 Unions and
 Parishes
 combined in
 School Dis-
 tricts shall
 be ascer-
 tained and
 declared.

II. And be it enacted, That in respect of any District heretofore
 formed or hereafter to be formed under the Provisions of the Statutes
 aforesaid the Poor Law Board shall cause an Inquiry to be made as
 to the average annual Expense incurred by or on account of the Relief
 of the Poor in every Union and Parish forming an integral Part of 25
 such District during the Three Years ending on the Twenty-fifth
 Day of March next before the Date of the Formation of such District,
 such Expense to include the Cost of the Relief of the Poor belonging
 to the Parish, or, in the Case of a Union, the Cost of the Relief of
 the Poor belonging to the several Parishes thereof, and of those 30
 chargeable upon the common Fund thereof, and the Payment of
 Salaries and other like Expenses of current and ordinary Nature; and
 the said Board shall by an Order declare the respective Averages so
 ascertained, and after the Issue of such Order the several Unions and
 Parishes comprised in any such District shall contribute to the several 35
 Charges set forth in the Clause herein-before cited from the said first-
 mentioned Statute according to the Proportion of the Averages
 declared in such Order until the same shall be altered by any
 subsequent Order of the said Board.

Provision for
 the Declara-
 tion of fresh
 Averages.

III. And be it enacted, That the said Board, from Time to Time 40
 whenever it shall seem proper to them to do so, may cause a fresh
 Inquiry to be made in manner aforesaid, in respect of any such
 District, as to the Expense of the Unions and Parishes therein for the
 Three

Three Years ending on the Twenty-fifth Day of March next preceding such Inquiry, and declare the same by their Order, and thereupon the Contribution of the several Unions and Parishes in such District to the Charges aforesaid shall be calculated according
5 to the Averages so last declared.

IV. And be it enacted, That when any Union or Parish shall be added to any previously formed District the said Board shall cause the average Expense of such Union or Parish corresponding with the Period for which the Averages of such District shall have been
10 declared to be ascertained and declared as aforesaid.

Provision for the Case of the Addition of a Parish or Union to an existing District.

V. And be it enacted, That in respect of any District heretofore formed all Charges and Expenses which shall not have been closed and audited at the *passing of this Act*, and to which the said Clause of the said first-recited Statute would have applied, shall be estimated
15 and settled according to the Proportions of the Averages to be declared according to the Provisions of this Act.

When Accounts in any such District not closed and audited, the same to be settled according to the Provisions of this Act.

VI. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

Act may be amended, &c.

School Districts Contributions.

A

BILL

To make better Provision for the Contributions of Unions and Parishes in School Districts to the common Funds of the respective Districts.

(Prepared and brought in by
Mr. Baines and Viscount Ebrington.)

Ordered, by The House of Commons, to be Printed,
7 March 1850.

117.

Under 1 oz.

School Establishment (Scotland) Bill.

ARRANGEMENT OF CLAUSES.

- Preamble recites Scotch Act of 1696, c. 26., 43 G. 3. c. 54., 1 & 2 Vict. c. 87., and 3 & 4 Vict. c. 48.
- Commissioners of the Treasury may apply for the Purposes of this Act Part of the Sums granted by Parliament for Education in Scotland; Sect. 1.
- Interpretation of Words; 2.
- Establishment of a General Board for carrying the Act into effect; Salary of Chairman; 3.
- Place of Meeting of Board, and Expenses; 4.
- Powers of the Board; 5.
- Superintendence and Jurisdiction of Presbyteries to cease; 6.
- Meetings of the Board; 7.
- Members of Board not to derive Profit or Emolument, nor to be personally responsible; 8.
- Appointment of Secretary; 9.
- Meetings of Heritors and Electors to consider the Question of additional Means of Education; 10.
- Election of Parish Committee; 11.
- Appointment of District Committee in extensive or populous Parishes; 12.
- Heritors and Electors of a Parish may join in Application to the Board for Adoption of the Parochial School or Establishment of new Schools; 13.
- Number of elected Members of Committee equal to Number of Heritors may be elected; 14.
- Notice to be given to Members elected on Committee; 15.
- One Third of elected Members of Committee to go out by Rotation; 16.
- Supply of Vacancies; 17.
- Appointment of Chairman of Committee; 18.
- Appointment of Clerk; 19.
- Committee not to act until they have undertaken to raise the necessary Funds; 20.
- Powers of Committee as to building Schools, &c.; 21.
- Dwelling Houses and Gardens for Schoolmasters to be provided; 22.
- Property to be vested in Committee, and maintained by them; 23.
- Assessing and levying of Rates for defraying Expenses incurred under this Act; 24.

Assessment for Expenses of District School ; 25.

Where Parish Committee constituted and additional Means of Education provided in any Parish the existing Parochial School to be deemed a School established under this Act ; 26.

School established by united Committee to be a School under this Act ; 27.

Power to borrow Money ; 28.

Sinking Fund for Payment of Sums borrowed ; 29.

Committee to fix Branches of Education to be taught, and School Fees to be charged ; 30.

Qualification of Candidates for the Office of Schoolmaster ; 31.

Regulations of the Board as to Qualification of Schoolmasters to be approved by Lord Advocate and Committee of Council on Education ; 32.

Election of Schoolmaster by the Committee ; 33.

Election of Schoolmaster by Minister and Heritors ; 34.

Vacancies how to be supplied ; 35.

On Failure of Minister and Heritors or Committee to elect, Board may appoint Schoolmaster ; 36.

Salaries to Schoolmasters appointed under the Act 43 G. 3. and this Act ; 37.

Salaries of Schoolmasters not having Certificate of Competency, or where there are more than One, to be settled by Heritors and Board ; 38.

Schools to be subject to Inspection of Government Inspectors ; 39.

Heritors and Committee not to interfere with Schoolmaster, but may complain to the Board if dissatisfied with his Conduct ; 40.

Proceedings against Schoolmasters ; 41.

Retiring Allowances to aged and infirm Teachers ; 42.

Power to Heritors and Committees to increase their Assessment for educational Purposes ; 43.

Dimensions of School-house under second-recited Act ; 44.

Minister and Heritors to have Superintendence of Parish Schools where no Parish Committee appointed ; 45.

Heritors may vote by Proxy or Letter under their Hands ; 46.

Schoolmasters appointed under this Act to be subject to Provisions of 9 & 10 Vict. c. 226. ; 47.

Schoolmasters not to be subject to Tests ; 48.

Repeal of Laws inconsistent with this Act ; 49.

Act may be amended ; 50.

SCHEDULES.

1 May 1850. 13 Vict.



(Scotland.)

A

B I L L

TO

Reform and extend the School Establishment of Scotland.

[Note.—The Words printed in *Italics* are proposed to be inserted
in the Committee.]

WHEREAS an Act was passed by the Parliament of Scotland in the First Parliament of King William in the Year One thousand six hundred and ninety-six, intituled “ Act for settling of Schools :” And whereas another Act was passed by the Parliament of Great Britain in the Forty-third Year of the Reign of His Majesty King George the Third, intituled “ An Act for making better Provision for the Parochial Schoolmasters, and for making further Regulations for the better Government of the Parish Schools, in Scotland :” And whereas another Act was passed in the Session of Parliament holden in the First and Second Years of the Reign of Her present Majesty, intituled “ An Act to facilitate the Foundation and Endowment of additional Schools in Scotland :” And whereas another Act was passed in the Session of Parliament holden in the Third and Fourth Years of the Reign of Her present Majesty, intituled “ An Act to enable Proprietors of entailed Estates in Scotland to feu or lease on long Leases Portions of the same for the building of Churches and Schools, and for Dwelling Houses and Gardens for the Ministers and Masters thereof :” And whereas the Means of Education in Scotland are inadequate to the present Circumstances and Population of the Country ; and it is

Preamble.
1st Parlia-
ment of King
William,
1696, c. 26.
43 G. 3. c. 54.
1 & 2 Vict.
c. 87.
3 & 4 Vict.
c. 48.

296. A expedient

Commissioners of the Treasury may apply for the Purposes of this Act Part of the Sums granted by Parliament for Education in Scotland.

expedient that the said recited Acts should be amended, and that more ample Means should be provided and an improved System of Education adopted: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament 5 assembled, and by the Authority of the same, That it shall be lawful for the Commissioners of Her Majesty's Treasury of the United Kingdom of Great Britain and Ireland for the Time being, from Time to Time, to set apart and appropriate such Part of the Sums which may be voted by Parliament for Purposes of Education in Scotland 10 as they shall deem necessary for carrying into effect the Purposes of this Act.

Interpretation of Words.

II. And be it enacted, That the following Words and Expressions in this Act shall have the several Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to 15 such Construction; (that is to say,)

Words importing the Singular Number shall include the Plural Number, and Words importing the Plural Number shall include the Singular Number:

The Word "Month" shall mean Calendar Month: 20

The Word "Board" shall mean the General Board of Education in Scotland appointed by this Act:

The Words "Committee" and "Committees" shall mean and include the Parish Committees and District Committees and Committees of united Heritors and Electors respectively, created or 25 elected and acting under the Provisions of this Act:

The Word "Electors" shall mean and include all Male Persons, being of lawful Age, assessed for the Relief of the Poor in Parishes or Districts in which an Assessment is or shall be levied for the Relief of the Poor, and not being Heritors qualified in 30 Terms of the said second-recited Act, and also all Male Heads of Families, being of lawful Age, in Parishes or Districts in which no such Assessment is levied, and not being Heritors qualified as aforesaid:

The Word "Clerk" shall mean the Clerk appointed by any Committee under the Provisions of this Act, as the Case may be. 35

General Board established.

III. And be it enacted, That a General Board shall be and is hereby established for carrying into effect the Purposes of this Act; and the said Board shall consist of the following Persons, namely, a Person to be appointed by Her Majesty who shall be 40 the permanent Chairman of the Board, the Lord Advocate, the Dean of the Faculty of Advocates, the Solicitor General of Scotland, the Principal of the University of Edinburgh, the Principal of the University

versity of Glasgow, the Professor of Humanity in the said University of Edinburgh, and the Rector of the High School of Edinburgh, all for the Time being; and it shall be lawful for Her Majesty to appoint an additional Number of Persons, not exceeding *Three*,
5 to be Members of the Board; and there shall be paid to the Chairman such Salary, not exceeding *Six hundred* Pounds per Annum, as shall be fixed by the said Commissioners of Her Majesty's Treasury; and it shall be lawful for Her Majesty, and Her Heirs and Successors, upon Cause shown, to remove the Members of the Board, or
10 any One or more of them, and also from Time to Time to supply any Vacancy which may occur in the Board, by Death, Removal, Resignation, or otherwise, of the Chairman, or any other of the Members of the Board; and the Board shall be called "The Board of Education in Scotland," and shall hold its Meetings at
15 Edinburgh.

IV. And be it enacted, That a Place of Meeting shall be provided and maintained for the Board at Edinburgh, with an Office for the Secretary, and all necessary Accommodation; and all the Expenses attending the same, and the Salaries of the Chairman and Secretary,
20 and also the Expense of Books and Stationery for the Use of the Board, shall be defrayed out of the Money to be set apart and appropriated for carrying into effect the Purposes of this Act as aforesaid.

Place of Meeting for the Board, and Expenses.

V. And be it enacted, That it shall be lawful for the Board, over
25 and above the Matters hereby specially committed to their Care, to exercise a general Superintendence of all the Parochial Schools of Scotland, and of all the Schools to be established under this Act, and from Time to Time to make and establish such Rules and Regulations as they may deem necessary for the Election of the elected Mem-
30 bers of Committees, and fixing the Limits of Districts, and for the Regulation and Government of Committees, and of the Conduct and Duties of the Clerks or other Officers appointed under the Authority of this Act for the Enforcement of such Rules and Regulations: Provided always, that such Rules and Regulations shall
35 not be inconsistent with the Provisions of this Act, and shall, before being put into execution, be approved of by the Lord Advocate for the Time being.

Powers of the Board.

VI. And be it enacted, That in all Cases in which any Superintendence, Power or Authority, or any Right of Appeal, or other
40 Right or Jurisdiction whatsoever, is by this Act conferred upon the Board or upon any Committee acting in the execution of this Act, all such Superintendence, Power, or Authority, Right of Appeal, or
296. other

Superintendence and Jurisdiction of Presbyteries to cease.

other Right or Jurisdiction, heretofore enjoyed, exercised, or existing by or in any Presbytery or otherwise, shall cease and determine, any thing in any Act or Acts of the Parliament of Scotland, or of the Parliament of Great Britain, or other Law or Practice, to the contrary in anywise notwithstanding. 5

Meetings of
the Board.

VII. And be it enacted, That the Board shall meet at the Place of Meeting to be provided for them as aforesaid, or at such Place as shall be fixed for the Purpose, upon the *First Day of July* next, or upon the first convenient Day within *Ten Days* thereafter (of which due Notice shall be given by the Secretary to each of the Members of the Board), and shall thereafter hold *Two* General Meetings in each Year, one upon the *First Wednesday in February*, and the other upon the *First Wednesday in July*; and at such First Meeting, and at all other Meetings of the Board, *Three* of the Members shall be a Quorum, with Power to act in all Matters hereby committed to the Board; and the Board shall have Power to adjourn for such Time and to such Place as they shall think fit, and to hold special or pro re natâ Meetings, which may be called by the Secretary in such Manner as the Board shall direct. 10 15 20

Quorum.

Members of
Board not to
derive Profit
or Emolu-
ment for dis-
charging
their Duties.

VIII. And be it enacted, That the Members of the Board shall not derive any Profit or Emolument for the Discharge of the Duties of their Office, excepting as herein mentioned, nor shall they be personally responsible for anything done bonâ fide in the Execution of this Act, or in the Exercise of the Powers thereby conferred. 25

Secretary to
be appointed.

IX. And be it enacted, That it shall be lawful for Her Majesty to appoint a fit Person to be Secretary to the Board, to whom there shall be paid such Salary, not exceeding *Three hundred Pounds* per Annum, as shall be fixed by the said Commissioners of Her Majesty's Treasury; and such Secretary, and every Secretary to be hereafter appointed, shall be removable from his Office by Her Majesty on the Application of the Board; and upon the Death, Resignation, or Removal of any such Secretary, the Board, with the Approbation of Her Majesty, Her Heirs and Successors, to be signified by One of Her Majesty's Principal Secretaries of State, shall appoint a Secretary in the Room of the Secretary so dying, resigning, or being removed; and such Secretary shall, under the Direction of the Board, keep regular Books and Minutes of all the Proceedings of the Board, and shall, in the Performance of all his Duties, and in all respects, be subject to the Inspection, Direction, and Control of the Board. 30 35 40

X. And

X. And be it enacted, That it shall be lawful for any Heritor qualified in Terms of the said second-recited Act or any Elector resident in any Parish to make Application in Writing to the Board, representing that the Means of Education in such Parish are inadequate to the
 5 Wants of the Population, and requesting the Board to call a Meeting of all the Heritors qualified as aforesaid and Electors in such Parish, which Meeting the Board, if they shall think it expedient, shall direct to be called accordingly, to be held at such Time and at such Place within the Parish as the Board shall think fit, *Eight Days*
 10 previous Notice thereof being given by Advertisement inserted in some Newspaper published or generally circulated in the Parish, and affixed on the Doors of the several Churches within the Parish on the Sunday preceding the Meeting; and the Heritors and Electors present at every such Meeting shall have Power by the
 15 Votes of a Majority to elect a Chairman, and also a Clerk to officiate thereat; and if it shall appear to a Majority of the Heritors and Electors present that additional Means of Education are required for the Parish, the Meeting shall come to a Resolution to that Effect, and fixing generally the Nature and Extent of the
 20 additional Means to be provided, and shall thereupon appoint a subsequent Day, at the Distance of not less than *Twenty* nor more than *Thirty Days*, for holding another Meeting of the Heritors and Electors of the Parish for the Appointment of a Parish Committee for promoting the Establishment of an additional School or Schools, or for
 25 the Adoption of the existing School, and providing the additional Means of Education necessary; and the Chairman presiding at the First Meeting shall cause the like Notice to be given of such Meeting for the Appointment of a Parish Committee as is herein-before directed to be given of the First Meeting, and shall also, if present,
 30 preside at such Second Meeting; and in case of his Absence the Electors present shall by the Votes of a Majority elect a Chairman to preside at such Second Meeting: Provided always, that the Expenses of calling such Meetings, and of all Proceedings connected therewith, shall in the first instance be paid and borne by the Heritors
 35 or Electors applying to the Board as aforesaid: Provided also, that if a Committee shall be elected in manner herein-after provided, the Sums actually and in the Opinion of the Board properly expended by such Heritors or Electors shall be repaid to them by such Committee out of the first Monies which shall come into their Hands in
 40 virtue of this Act.

Heritors or Electors may consider the Question of additional Means of Education in any Parish.

XI. And be it enacted, That the Parish Committee of such Parish shall consist of the Minister and all the Heritors of such Parish qualified as aforesaid, and of as many Members as the Board, after having received Information of the Proceedings of the said
 45 First Meeting, shall in Writing prescribe, chosen from among the
 296. B Electors;

Election of Parish Committee.

Electors ; and the Electors at such Second Meeting shall, by the Votes of a Majority of the Electors present, choose from among the Electors the Number of elected Members so prescribed, who along with such Minister and Heritors shall constitute the Parish Committee of such Parish for promoting the Means of Education therein ; and each 5 Elector present shall have One Vote for each elected Member of the Committee.

Appoint-
ment of Dis-
trict Com-
mittee.

XII. And be it enacted, That if in any Portion of any extensive or populous Parish, or in contiguous Portions of adjoining Parishes, the Means of Education shall be inadequate, and if it shall appear desi- 10 rable to erect such Portion of a Parish or Portions of Parishes into a District for the Establishment or Maintenance of a School under this Act, it shall be lawful for the Board (if they think it expedient), upon Application from any Two Heritors qualified as aforesaid or Electors of such Parish, to define the Limits of the proposed District, and 15 thereafter to direct a Meeting of Heritors qualified as aforesaid and Electors resident within such Limits to be called in such and the like Manner and for the like Purpose in all respects as is herein-before provided in the Case of Parishes ; and if it shall appear to the Majority of the Persons present at such Meeting to be desirable that a Com- 20 mittee be constituted for the Establishment and Management of a School or Schools within the Limits fixed by the Board, a Second Meeting shall be called in such and the like Manner and for the same Purposes as is herein-before prescribed in the Case of Parishes ; and the Heritors qualified as aforesaid in respect of Property within 25 such Limits, together with the Number of elected Members prescribed by the Board, shall be the Committee of such District under this Act ; and such elected Members of Committee shall be chosen by the Electors of the District from among their own Number, and shall go out of Office by Rotation in manner prescribed in respect of 30 Parish Committees.

Heritors and
Electors of
a Parish may
join in Ap-
plication to
the Board
for Adoption
of the Paro-
chial School
or Establish-
ment of new
Schools.

XIII. Provided always, and be it enacted, That it shall be compe- tent for the Heritors of any Parish qualified as aforesaid, by a Resolution of a Majority in Number and Value of such Heritors adopted at a Meeting to be held after such Notice thereof as is 35 herein-before directed to be given of the First Meeting of the Heritors and Electors of any Parish, to join with the Electors of the Parish in an Application to the Board for the Adoption of the Parochial School of the Parish, or the Establishment of a School or Schools to come in place of the Parochial School, which shall in either Case become 40 a School or Schools under this Act ; and if the Board shall consider the Object of such Application expedient, the Board may direct such and the like Procedure to be had by such Heritors and Electors jointly as is herein directed to be observed in the Case of an Application

Application by the Heritors or Electors of a Parish ; and the Committee to be formed of such united Heritors and Electors shall consist of the Minister of the Parish and all the Heritors qualified as aforesaid, and of such Number of Members to be chosen from among the
 5 Electors in manner before provided, as shall be prescribed by the Board ; and such Minister and Heritors shall be permanent Members of the Committee, and the elected Members of Committee shall go out of Office in manner herein-after directed in regard to Members of Committee going out of Office by Rotation.

10 XIV. Provided always, and be it enacted, That if the Number of elected Members of any Committee prescribed by the Board shall not be equal to the Number of Heritors Members thereof, it shall be lawful for the Electors, if they shall think fit, to elect a Number of Members equal to the Number of such Heritors.

Number of elected Members equal to Number of Heritors may be elected.

15 XV. And be it enacted, That the Chairman presiding at any Meeting for the Election of Members of the Committee shall, within *Twenty-four* Hours after such Meeting, give or cause to be given Notice in Writing of such Election to the several Persons elected, and call upon them severally to declare within *Six* Days after such
 20 Notice whether they accept or decline to accept the Office of Members of the Committee ; and if any Person so elected shall not intimate his Acceptance of the said Office within *Six* Days after the Date of such Notice, he shall be held as having declined to accept, and such Chairman shall immediately appoint a Day for a
 25 new Election of a Member of Committee in place of the Person so declining, at the Distance of not less than *Ten* nor more than *Fourteen* Days, and shall cause the like Notice of the Day so appointed to be given as is herein-before directed to be given of the First Meeting ; and such Elections shall be proceeded with in all respects in the
 30 same Manner in which the first Election of Members of Committee is hereby directed to proceed until the prescribed Number of elected Members of Committee shall be completed.

Notice to be given to Members elected.

XVI. And be it enacted, That the Members of Committee first elected shall continue in Office until the *First Monday of September*
 35 in the Year following that in which they were so elected ; and on the said *First Monday of September*, and on the *First Monday of September* in every succeeding Year, *One Third* of the elected Members of Committee shall go out of Office by Rotation ; and the *One Third* who shall first go out of Office shall consist of the *One Third* of the
 40 elected Members of Committee whose Names stand lowest on a Rotation List of the said first-elected Members of Committee containing their Names in strictly alphabetical Order, made out by the Clerk and signed by the Chairman of the said Second Meeting ; and in
 296. the

One Third of elected Members of Committee to go out by Rotation.

the succeeding Year the *One Third* who shall go out of Office by Rotation shall consist of the *One Third* of the elected Members of Committee whose Names stand next lowest on the said Rotation List; and thereafter the *One Third* annually going out of Office by Rotation shall consist of the *One Third* of the elected Members of Committee who have been longest in Office; and if in any Case the Number of elected Members of Committee does not admit of the Proportion of *One Third* going out of Office yearly, then as nearly as may be *One Third* shall so go out, and shall be deemed to be *One Third* in the Meaning of this Act, the Majority of the Members of Committee always determining, in case of Dispute, who shall be the Members to go out of Office by Rotation; and it shall be lawful for the Board, in any Difficulty which may arise in relation to such Elections, to regulate and decide finally therein as the Board shall think just: Provided always, that every elected Member of Committee going out of Office by Rotation, or otherwise ceasing to be a Member, may be re-elected, and after such Re-election he shall with reference to going out by Rotation be considered as a new Member.

Vacancies to
be supplied.

XVII. And be it enacted, That in case of a Vacancy in any Committee by the Death, Resignation, or permanent Absence or otherwise of any elected Member, the same shall be filled up by the remaining Members of the Committee by Election of a Member from among the Electors of the Parish or District within *One Month* after the happening of such Vacancy; and every Member so elected shall continue in Office only so long as the Person in whose Place he is elected would have been entitled to continue in Office.

Committee
may appoint
a Chairman.

Quorum of
Committee.

XVIII. And be it enacted, That it shall be lawful for each Committee to appoint a Chairman, who shall preside at all Meetings of the Committee held under this Act at which he shall be present, and in his Absence the Members present at any Meeting shall elect their Preses for the Time; and such Meetings of the Committee shall be held from Time to Time at such stated Periods as shall be fixed by the Committee, with the Approbation of the Board; and at all such Meetings, unless herein otherwise specially provided, the Majority of the Members present, not being less than *Five*, shall decide upon all Questions and Matters coming before the Committee; and the Chairman of such Meetings shall, in case of an Equality of Votes of the Members present, besides his deliberative Vote, have a decisive or casting Vote.

Clerk to be
appointed.

XIX. And be it enacted, That it shall be lawful for each Committee to appoint a Clerk, and such Clerk shall be removable from his Office by the Committee, and upon the Death, Resignation, or Removal

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Removal of any Clerk, the Committee shall appoint a Clerk in his Room; and it shall be the Duty of such Clerk to keep regular Books and Minutes of all the Proceedings of the Committee, and Lists of all the Electors entitled to vote in the Election of Members of the Committee, and also Accounts of all the Monies which may come into his Hands, of which Accounts he shall send true Copies regularly once a Year or oftener to the Board, as and at such Times as the Board shall prescribe; and every such Clerk shall in the Performance of his Duties and in all respects be subject to the Inspection, Direction, and Control of the Committee, and shall find sufficient Security for his Intromissions and Management, to the Satisfaction of the Committee; and it shall be lawful for the Committee to make such Remuneration to the Clerk as may be agreed upon, and also to defray all such reasonable Expenses attending the Execution of this Act as shall, in both Cases, be sanctioned by the Board.

XX. And be it enacted, That where a Committee shall have been appointed under this Act, such Committee shall have no Authority or Power to act under this Act unless and until they shall have satisfied the Board that Funds for educational Purposes (exclusive of School Fees) will be raised permanently by Assessment or otherwise to such an Amount, over and above the Schoolmaster's Salary, as the Board shall fix as necessary for defraying all the Expenses of the educational Establishment of the Parish or District, and the Amount so fixed may be reduced by Order of the Board, upon Representation by the Committee, that it is more than adequate to the Necessities of such Parish or District.

Committee not to act until they have undertaken to raise the necessary Funds.

XXI. And be it enacted, That it shall be lawful for the Committee in every Parish or District, and they are hereby authorized, with the Approbation of the Board, to acquire Lands, and to erect thereupon fit School-houses or additional School-houses, with all requisite Appurtenances and Conveniences for School Purposes, or to acquire Buildings already erected suitable for such Purposes, and to enlarge, alter, and repair such Buildings, and also to acquire Ground sufficient for a Playground for each such School, or, with the Approbation of the Board, to adopt and enlarge or improve the existing Parochial School-house and Appurtenances, where the same shall have been established as a School under this Act in manner aforesaid; and it shall also be lawful for the Committee to provide such Library for each School as may be approved of by the Board, of which the Use shall be regulated by Rules to be framed by them, with the Approbation of the Board, and, with such Approbation, to provide for each School such School Apparatus as the Committee may deem proper; and the Committee shall submit to the Board Plans of

Power of building Schools, &c.

all such Lands and Buildings and Playgrounds, together with an Estimate of the Expense of acquiring such Lands or Buildings, and of erecting, enlarging, or repairing all such Buildings, and also of the Expense of acquiring such Libraries and Apparatus; and if the Board shall approve thereof, and if the Committee shall undertake to the Satisfaction of the Board for the Payment of *One Half* of such 5 estimated Expense out of the Monies to be raised and levied under the Provisions of this Act, or out of Money to be borrowed on the Security thereof, as herein-after authorized, and also for the future Maintenance and well and sufficiently keeping up of all such Buildings, 10 with the Libraries and Apparatus to be furnished thereto as aforesaid, then and in such Case it shall be lawful for the Commissioners of Her Majesty's Treasury to advance and pay the other *Half* of such Expenses out of any Monies to be voted by Parliament for Purposes of Education in Scotland, and set apart as aforesaid; and upon Occa- 15 sion of all such Advances the Board shall cause a careful Inquiry into the Application of the same to be made, and upon being satisfied of the due Application thereof, and of the Completion of the Purposes for which the Advance was made, shall report to the said Commissioners of Her Majesty's Treasury that such Purposes have been 20 executed to the Satisfaction of the Board.

Dwelling
Houses and
Gardens for
School-
masters to
be provided.

XXII. And be it enacted, That a commodious Dwelling House, where there is none or none adequate existing, shall be provided by the Committee in every Parish and District for every Schoolmaster elected under the Provisions of this Act, consisting of not less than 25 *Three* Rooms besides the Kitchen, and a Portion of Ground for a Garden to such Dwelling House, from Fields used for the ordinary Purposes of Agriculture or Pasturage, as near and convenient to such Dwelling House as may be, which Garden shall contain at least *One Fourth* Part of an Imperial Acre, and shall be enclosed with 30 such Fences as are generally used for such Purposes in the District of Country in which the same is situated; and *One Half* of the estimated Expense of providing such Dwelling House and Garden shall be defrayed by the Committee out of the Monies to be raised and levied under the Provisions of this Act, or out of Money to be 35 borrowed on the Security thereof as herein-after authorized, and the remaining *Half* of such Expense shall be paid and contributed by the said Commissioners of Her Majesty's Treasury out of any Monies to be voted by Parliament for the Purposes of Education in Scotland, and set apart as aforesaid, or it shall be lawful for the Committee to adopt, 40 along with any existing School to be adopted as hereby authorized, the Schoolmaster's House and Garden, and to enlarge and improve the same: Provided always, that before commencing to build or to enlarge any School-house or Dwelling House the Plans thereof shall be

be submitted to and approved of by the Board, who may direct such Alterations to be made on the Plans submitted to them as they shall think necessary: Provided also, that in Cases where a House or Garden cannot be allotted to the Schoolmaster without Loss and Inconvenience, it shall be optional to the Committee, with the Consent of the Board, to pay to the Schoolmaster, in lieu of such House or Garden, or either of them, such Addition to his Salary as may be fixed by the Board.

XXIII. And be it enacted, That the Conveyances of all Lands acquired by the Committee for the Purposes of this Act shall be taken and made in the Name of the Members of the Committee and their Successors in Office, and shall be recorded in the Register of Sasines for the County in which such Lands are situated; and the Property of such Lands and of all Buildings erected thereon shall in all Time thereafter be and remain vested in the Committee and their Successors in Office for the Purposes of this Act, without any Renewal of the Titles or Investiture; and the Committee shall at all Times maintain the School-house and Dwelling House, and the Fences of the Garden, in proper Condition and Repair; and the Expense of all necessary Repairs shall be defrayed out of the Monies raised and levied under the Provisions of this Act.

Property to be vested in Committee, and Buildings maintained by them.

XXIV. And be it enacted, That in all Cases where it shall have been resolved by the Committee under the Authority of this Act, and with the Approbation of the Board, to acquire Land or Buildings, or to erect any School-house or additional School-house or Schoolmaster's House, or to provide Playgrounds and Gardens, or to adopt the existing School, Schoolmaster's House, and Garden, or to enlarge and improve any existing School, or to grant Salaries to any Schoolmaster, or to raise Money for other educational Purposes, the Monies requisite for all or any of such Purposes shall, after the same have been certified by the Board as the Amount of the Salaries and Expenses approved of by the Board, be raised by Assessment upon the Heritors qualified as aforesaid and the Electors of the Parish or District respectively, as the Case may be, as Rate-payers; and such Assessments shall be made and levied, as shall be fixed by the Board, either in such Manner as the Assessment to the Poor is for the Time made and levied under an Act passed in the Session of Parliament holden in the Eighth and Ninth Years of the Reign of Her present Majesty, intituled "An Act for the Amendment and better Administration of the Laws relating to the Relief of the Poor in Scotland," or in such Manner as the Assessment is for the Time made and levied under an Act passed in the Session of Parliament holden in the Second and Third Years of the Reign of Her present Majesty, intituled "An Act

Assessing and levying of Rates for defraying Expenses.

“ to improve Prisons and Prison Discipline in Scotland,” or under any Act or Acts which may hereafter be passed altering or amending the said Two last-recited Acts or either of them, in so far as regards the Manner of making and levying Assessments, and shall be so levied in either Case along with but separately from such Assessments, and 5 so as to keep the Sums leviable for the Purposes of this Act distinct and separate from the Assessments levied for the Purposes of the said Two last-recited Acts ; and the Collector of the said Assessments under the said Two last-recited Acts or either of them shall account for and pay over the Assessments collected by him for the Purposes of 10 this Act to the Clerk of the Committee for whom the same are levied, to be applied to the Purposes of this Act.

Assessment
for Expenses
of District
School.

XXV. And be it enacted, That where a District shall be formed on the Application of the Heritors or Electors of the proposed District, whether wholly in one Parish or partly in one Parish and partly 15 in another Parish, the Expenses to be incurred in relation to the School in such District shall be defrayed by and be assessed exclusively upon the Heritors and Electors of such District as Rate-payers ; and the Heritors and the Electors of the Parish or Parishes, other than those within the District, shall not be liable for any Part of the 20 Expense of such District School or Means of Education within such District.

Where Parish
Committee
constituted,
and additional
Means of Education
provided, the
existing
Parochial
School to
become a
School under
this Act.

XXVI. And be it enacted, That where a Parish Committee shall be constituted and additional Means of Education shall be provided in any Parish to the Satisfaction of the Board as herein-before 25 directed, the existing Parochial School of such Parish shall be deemed to be and be a School established under the Authority of this Act, and the Parish Committee of such Parish shall thereafter have the Care and Management of such School and the Appointment of the Schoolmaster ; and all the Expenses attending such 30 School shall be defrayed by Assessment upon the Heritors and the Electors of the Parish, all in such and the like Manner as if such Parochial School had been a School established under this Act.

School
established
by united
Committee
to be a
School under
this Act.

XXVII. And be it enacted, That upon the Establishment of a School and the Election of a Schoolmaster by the Committee of united 35 Heritors and Electors, such School, whether a new School shall be provided or the existing Parish School shall be adopted, shall be deemed and taken to be in all respects a School established under this Act ; and the Heritors shall thereafter be assessed as Rate-payers under this Act, and not as Heritors under the said second-recited 40 Act, towards all the Expense attending the Establishment and Maintenance of such School.

XXVIII. And

XXVIII. And be it enacted, That it shall be lawful for the Committee to borrow on Mortgage any Sum not exceeding in the whole the Amount of *One Half* of the estimated Expenses hereinbefore authorized and directed to be raised and paid by the Committee, as such Amount shall be certified by the Board, and to make and grant Mortgages and Assignations of the Rates to be levied and taken by them in virtue of this Act, in the Form of the Schedule (A.) to this Act annexed, or to the like Effect, in Security of the Payment of the Sums so borrowed, and Interest thereon; and the Sums so borrowed shall be applied in defraying the Expense of acquiring Lands or Buildings, and erecting or enlarging and improving Schoolhouses and Schoolmasters' Houses, and providing Gardens and Playgrounds, and Apparatus and other Conveniences connected with such Schools, and to no other Use or Purpose whatsoever; and any Person entitled to any such Mortgage or Assignation may transfer his Right and Interest therein to any other Person; and every such Transfer shall be by Deed duly stamped, wherein the Consideration shall be truly stated, and may be according to the Form of the Schedule (B.) to this Act annexed, or to the like Effect.

Power to borrow Money.

XXIX. And be it enacted, That the Committee shall every Year after Money has been borrowed by them under the Provisions of this Act, besides paying the Interest of the borrowed Money, appropriate and set apart out of the Monies to be raised and levied by them a Sum equal to at least *Five Pounds* per Centum of the Sums which shall then be due and owing, as a Sinking Fund, to be applied in the Repayment of the Principal Sums so borrowed.

Sinking Fund for Payment of Sums borrowed.

XXX. And be it enacted, That it shall be lawful for the Committee at a Meeting specially called for the Purpose, and of which Notice shall be given to all the Members, by Letters forwarded by Post, and posted *Fourteen Days* previous to the Day of such Meeting, to fix and determine, from Time to Time, the Branches of Education which shall be taught in the School under their Management, and the School Fees which shall be charged; but the Resolutions of the Committee in all such Cases shall be subject to the Approbation of the Board, who may allow or disallow the same, or make such Alterations therein as they shall think expedient, and the Resolutions, as approved of by the Board, shall be adopted and acted upon by the Committee.

Committee to fix Branches of Education to be taught, and School Fees to be charged.

XXXI. And be it enacted, That no Candidate shall be eligible as a Schoolmaster under this or the said recited Acts unless he shall produce a Certificate under the Hands of Two Government Inspectors of Schools in Scotland, to the Effect that they have examined such Candidate, and found him duly qualified, nor unless he shall

Qualification of Candidates for the Office of Schoolmaster.

be otherwise qualified according to such Regulations as shall be established by the Board, who are hereby authorized and required from Time to Time to make and publish Rules and Regulations to that Effect, and shall have obtained a Certificate of Competency from the Board.

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Regulations
to be ap-
proved of by
the Lord Ad-
vocate and
Committee
of Council.

XXXII. Provided always, and be it enacted, That no such Rules and Regulations made by the Board shall be effective or binding unless and until the same shall have been submitted to and approved of by the Committee of Her Majesty's Most Honourable Privy Council on Education.

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Election of
School-
master by
Committees.

XXXIII. And be it enacted, That where a Committee shall have been constituted as aforesaid, and the Board shall have been satisfied as to the Necessity of a School or additional School in any Parish or District, and also as to the Sufficiency of the Funds to be provided for educational Purposes and for the Payment of the Schoolmaster's Salary, it shall be lawful for the Committee, at a Meeting specially called for the Purpose, and of which Notice shall be given to all the Members, by Letters forwarded by Post, and posted *Fourteen* Days previous to the Day of such Meeting, by a Majority of the Votes of the Members present at such Meeting, to elect from among the Candidates qualified as herein prescribed a Schoolmaster for such School or additional School to be provided and maintained under this Act; and the Election of Schoolmasters for such Schools or additional Schools shall remain with and be in the Committee in all Time thereafter.

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Election of
Schoolmas-
ter by
Minister and
Heritors.

XXXIV. And be it enacted, That in every Parish in which a School has been established or maintained under the said recited Acts or any of them, and in which a Committee shall not have been constituted under this Act, the Minister and Heritors of such Parish shall elect as heretofore the Schoolmaster of such School, subject (except as herein otherwise provided) to the Rules and Regulations prescribed in the Case of Elections of Schoolmasters by the Committee.

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Vacancies
how to be
supplied.

XXXV. And be it enacted, That upon a Vacancy occurring in the School of any Parish or District by the Death of the Schoolmaster, whether appointed or acting under the said second-recited Act or this Act, Intimation thereof shall forthwith be given to the Board by the Session Clerk or the Clerk of the Committee, or, if there be no Session Clerk or no Clerk of the Committee, by the Inspector of the Poor; and the Board shall thereupon fix some convenient Day, at the Distance of not less than *Fourteen* Days and not more than *Two* Months, on which the Minister and Heritors or the Committee

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Committee

Committee, as the Case may be, shall meet for the Election of a Schoolmaster to supply such Vacancy, and shall cause Notice to be given in some Newspaper published or usually circulated in the Parish or District *Twice* at least *Eight* Days before the Day of such Meeting; and such Meeting may be adjourned to a future Day; and at such Meetings the Minister and Heritors, or the Committee, by a Majority of their Number, shall elect a Schoolmaster to supply such Vacancy; and if any Difference or Question shall arise regarding any Election of a Schoolmaster under the said recited Acts or this Act, the same shall, on Appeal, be settled by the Board, whose Decision shall be final, and not subject to Review by Reduction, Suspension, or Advocation, or in any other manner of way.

XXXVI. Provided always, and be it enacted, That if within *Six* Months after the Date of such Notice, or within such further Time as the Board on Application may fix, the Minister and Heritors or the Committee shall fail to elect a Schoolmaster to supply such Vacancy, the Board shall appoint a Schoolmaster to supply the same.

If Heritors or Committee fail, Board may appoint Schoolmaster.

XXXVII. And be it enacted, That from and after the *First Day of January* next after the *passing of this Act* the Salary of each of the Schoolmasters appointed and acting under the said recited Acts or any of them (except as herein-after provided), and the Salary of each of the Schoolmasters to be appointed under this Act, shall be not less than *Thirty-five Pounds* nor more than *Fifty Pounds* per Annum, and when once fixed shall not, until a Vacancy occur, be reduced; and which Salary, where payable by the Heritors, shall be collected and paid in such and the like Manner, and with the like Relief against Tenants, as Salaries are under the said first and second herein-recited Acts directed to be collected and paid, and where payable by the Committee shall be paid out of the Monies to be raised and levied under the Provisions of this Act.

Salaries of Schoolmasters.

XXXVIII. Provided always, and be it enacted, That where the Schoolmaster of any Parish who shall not have obtained a Certificate of Competency from the Government Inspector or the Board shall be in the Receipt of a Salary below the maximum Salary under the said second-recited Act, or where more than One School has been maintained in any Parish under the said Act, the Salary of the Schoolmasters or Schoolmaster of such Parish shall be fixed at such Amount and apportioned in such Manner as shall be equitably settled by the Heritors, with the Approbation of the Board.

Salaries of Schoolmasters not having Certificate of Competency, or where there are more than One, to be settled by Heritors and Board.

XXXIX. And be it enacted, That the Schools falling under the Provisions of the said recited Acts or any of them, and of this Act, shall

Schools subject to Inspection of

Government Inspectors. shall be subject at all Times to the Inspection of the Government Inspectors of Schools, who shall inquire into the Conduct and Management of the several Schoolmasters thereof and the Condition of the School in all respects; and the Inspectors shall from Time to Time, and at such Times as the Board may direct, report to the Board upon all Matters connected with the School and the Management and Discipline and Condition thereof. 6

Committee may complain to the Board if dissatisfied with the Conduct of the Schoolmaster. XL. And be it enacted, That it shall not be lawful for the Minister and Heritors or for the Committee to interfere with the Method of Instruction and Discipline or the internal Arrangements of the Schools 10 which the respective Schoolmasters may adopt, but, in the event of their being dissatisfied with the Conduct of the Schoolmaster in any such Particulars, or as to his Competency or continuing Incapacity, it shall be competent to any *Two* or more Heritors qualified as aforesaid or any *Two* or more Members of the Committee, and also to 15 the Government Inspector, to make a Representation thereof to the Board, and the Board shall thereupon forthwith direct an Investigation into the Grievance complained of, either through the Government Inspectors or otherwise, as they shall think fit, and, if any such shall be found to exist, give Instructions for the Removal or Remedy 20 thereof; and the Decision of the Board in all such Cases shall be final.

Proceedings against Schoolmasters. XLI. And be it enacted, That in case any Schoolmaster shall be charged with any graver Crime or with Malversation or Breach of Duty, inferring Deprivation of Office and eventually of his Right to the retiring Salary provided by this Act, the Proceedings against 25 such Schoolmaster before the Board shall be in the Name and at the Instance of the Lord Advocate; and it shall in such Cases be lawful to appeal from the Determination of the Board to the Sheriff of the County in which the Parish wherein the Question arises lies; and the Decision of the Sheriff shall be final, and not subject to 30 Review by Suspension, Advocation, or Reduction, or in any other manner of way.

Retiring Allowances to be granted to aged and infirm Teachers. XLII. And whereas it is expedient that Provision be made for the Retirement from their respective Offices of Schoolmasters appointed and acting under the said recited Acts or any of them, or hereafter to 35 be appointed under this Act, who, by reason of old Age or bodily Infirmary, may be incapable of properly discharging their Duties: Be it enacted, That if the Minister and Heritors, or the Committee, shall make Application to the Board, setting forth the Incapacity of the Schoolmaster of the Parish or District for the Discharge of his Duties, 40 the Board shall, as soon as may be, cause Investigation to be made into the Truth of such Application; and if the Board shall find the Matter

Matter to be as therein set forth, the Board shall report to that Effect to the said Commissioners of Her Majesty's Treasury, and it shall thereupon be lawful for the said Commissioners, out of the Monies to be voted by Parliament for the Purposes of Education
 5 in Scotland, and set apart as aforesaid, to grant such retiring Allowances to such incapacitated Schoolmaster as the said Commissioners shall, in the Circumstances, think fit, but not in any Case exceeding the Amount of the Salary payable to him, and the annual Value of the House and Garden to which he was entitled under the said recited
 10 Acts or any of them, or this Act, but exclusive always of School Fees and of the Income or Advantages derived by him from any other Office which he may have held in combination with the Office of Schoolmaster, and which retiring Allowance shall be paid half-yearly to such Schoolmaster during his Life; and upon such retiring Allow-
 15 ance being granted by the said Commissioners such Schoolmaster shall cease to hold his Office, which shall be declared vacant by the Board, and an Election of another Schoolmaster to supply the Vacancy shall be made in manner herein-before provided.

XLIII. And be it enacted, That it shall be lawful for a Majority
 20 of the Heritors of any Parish in which a Parish Committee or Committee of united Heritors and Electors shall not have been constituted under this Act, assessed and acting under the said second-recited Act, and representing not less than *One Half* of the valued Rent of such Parish, and in like Manner for a Majority of any
 25 Committee representing not less than *One Half* in Value of the Property assessed in the Parish or District to the Purposes of this Act, to raise, with the Approbation of the Board, such additional Funds as shall be necessary for Schools or educational Purposes within the Parish or District, which additional Funds shall be payable
 30 by the Heritors in proportion to their respective valued Rents, and by the Electors in proportion to the assessed Property or Means of the Electors respectively, (as the Case may be,) and shall, in the Case of the Heritors, be levied and collected in the Manner prescribed in relation to the levying and collecting School Salaries
 35 under the said recited Acts or any of them, and in the Case of the Electors, in the Manner directed by this Act, and shall be applied by the Heritors and Committees respectively in such Manner as they shall think most expedient for extending and improving the Means of Education in the Parish: Provided always, that no such additional
 40 Funds shall be so raised without the Approbation of the Board.

Power to Heritors and Committees to increase Assessments for educational Purposes.

XLIV. And be it enacted, That in every Parish in which there is
 a School-house established under the said second-recited Act, but
 where there is no House or no adequate House for the Schoolmaster,
 296. E the

Dimensions of School-master's House under the said

second-recited Act enlarged.

the Heritors of the Parish shall within *Two Years* after the passing of this Act provide a House of not less than *Three Rooms* besides the Kitchen, and with a Garden of the Extent prescribed by the said Act; and the Expense of providing such Dwelling House and Garden and supporting the same shall be defrayed and paid in such 5 and the like Manner as is prescribed for providing a School-house by the said second-recited Act.

Minister and Heritors to have Superintendence of Parish Schools where no Parish Committee appointed.

XLV. And be it enacted, That in any Parish in which a Parish Committee or a Committee of united Heritors and Electors shall not have been appointed under this Act the Minister and Heritors of such 10 Parish shall continue to have such and the like Management and Superintendence of the Schools established and maintained under the said recited Acts or any of them as they had heretofore under the said Acts, but subject nevertheless to and consistently with the Provisions and Enactments contained in this Act.

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Heritor may vote by Proxy or Letter under his Hand.

XLVI. And be it enacted, That nothing herein contained shall be construed to repeal or alter the Power conferred by the said second-recited Act upon any Heritor, qualified as aforesaid, to vote by Proxy or by Letter under his Hand.

Schoolmasters under this Act subject to Provisions of Act 9 & 10 Vict. c. 226.

XLVII. And be it enacted, That every Schoolmaster to be elected 20 or appointed in virtue of this Act shall be in all respects under and subject to the Provisions and entitled to the Benefits of an Act passed in the Ninth and Tenth Years of the Reign of Her present Majesty, intituled "An Act for better raising and more securely " constituting the Fund for the Relief of Widows and Children of 25 " Burgh and Parochial Schoolmasters in Scotland," as if such Schoolmaster appointed in virtue of this Act had been specially described and comprehended therein.

Schoolmasters not to be subject to Tests.

XLVIII. And be it enacted, That it shall not be necessary for any Schoolmaster to be elected or appointed under the said recited Acts 30 or any of them or this Act to the Office of Schoolmaster in any Parish or District in Scotland, at or before his Admission to Office to make or subscribe any Acknowledgment or Declaration or Test of any Description whatsoever, anything in any Act or Acts of the Parliament of Scotland, or of the Parliament of Great Britain, or other Law or 35 Practice, to the contrary in anywise notwithstanding.

Repeal of Laws inconsistent with this Act.

XLIX. And be it enacted, That all Laws, Statutes, and Usages now in force respecting Parochial Schools and Schoolmasters in Scotland shall be and the same are hereby repealed, in so far as inconsistent or at variance with the Provisions of this Act: Provided always, 40 that the same shall be in force in all other respects whatsoever.

L. And

L. And be it enacted, That this Act may be amended or repealed by any Act to be passed during the present Session of Parliament. Act may be amended or repealed.

SCHEDULES referred to in the foregoing Act.

SCHEDULE (A.)

FORM OF MORTGAGE.

By virtue of an Act [*insert Title of this Act*], we [*here name Five Members of the Committee*], and a Quorum of the Members of the Committee of the Parish [*or District*] of [], appointed in pursuance of the said Act, in consideration of the Sum of [] paid to the Clerk of the Committee by *A.B.* of [], for the Purposes of the said Act, do hereby grant and assign unto the said *A.B.*, his Executors, Administrators, and Assignees, such Proportion of the Monies or Rates authorized to be levied and taken under and by virtue of the said Act as the said Sum of [] does or shall bear to the whole Sum which is or shall be borrowed upon the Credit of the said Monies or Rates, to hold to the said *A.B.*, his Executors, Administrators, and Assignees, from this Day until the said Sum of [], with Interest at [] per Centum per Annum for the same, shall be fully paid and satisfied. In witness whereof [*insert Testing Clause according to the Law of Scotland*].

SCHEDULE (B.)

FORM OF TRANSFER OF MORTGAGE.

I *A.B.* of [] in consideration of the Sum of [] paid to me by *C.D.* of [], do hereby transfer to the said *C.D.*, his Executors, Administrators, and Assignees, a certain Mortgage and Assignment in Security made by the Committee of the Parish [*or District*] of [] to *A.B.* of [] bearing Date the [] Day of [] for securing the Sum of [] and [] Interest [*or, if such Transfer be by Indorsement, say, the within Security*], and all my Right and Interest in and to the Money thereby secured, and in and to the Monies or Rates thereby assigned. In witness whereof [*insert Testing Clause according to the Law of Scotland*].

School Establishment.

(Scotland.)

A

B I L L

To reform and extend the School
Establishment of Scotland.

(Prepared and brought in by
Viscount Melgund and Mr. Ferguson.)

*Ordered, by The House of Commons, to be Printed,
1 May 1850.*

296.

Under 3 oz.

Securities for Advances (Ireland) Bill.

ARRANGEMENT OF CLAUSES.

Preamble recites 12 & 13 Vict. c. 77.

Land sold under 12 & 13 Vict. c. 77. may be charged in favour of
Persons advancing Part of Purchase Money, but Charge not to
exceed One Half the Purchase Money ; Sect. 1.

Form of Charge ; 2.

Certificate to be referred to in Conveyance ; 3.

All Conveyances and Assignments by the Incumbered Estates Com-
missioners to be executed in Duplicate, and One Duplicate regis-
tered ; and where Certificate issued, Conveyance or Assignment to
be marked for Reference ; and any Person may have an Office Copy
of registered Duplicate ; 4.

On Issue of Certificate, Principal and Interest to become a Charge in
priority of the Purchaser's Title ; 5.

Certificates to be transferable by Endorsement ; 6.

Registrar of Deeds to keep a Register of Owners of Certificates of
Charge ; 7.

Persons claiming, on Transmission of Charge, by Death, &c. of
Owner of Certificate, may be registered, on Proof of Title, by
Declaration, &c. ; 8.

Receipt to be delivered up on Payment ; 9.

Persons paying off Money owing on Certificates not bound to regard
Trusts ; Receipt of Owner of Certificate a Discharge ; 10.

Where Principal or Interest due on any Certificate is in arrear for
Three Months, Commissioners may order a Sale of the Lands
charged ; 11.

Petitioner for Sale to deposit his Certificate, and shall be liable to
have such Certificate redeemed ; 12.

Money charged by Certificate not to be deemed a Debt ; 13.

Owner of Land may pay off Certificates, on giving Three Months
Notice ; 14.

Notices may be sent through the Post Office to registered Name and
Address, and published in Dublin Gazette ; 15.

In what Place Monies secured by Certificates to be Bona notabilia ;
16.

Judgment not to be a Charge upon Certificate ; 17.

Stamp on Certificates ; 18.

Power to Trustees having Authority to invest on Real Securities in
England or Wales, Great Britain, or Ireland, to lend Money on
Security of Certificates of Charge ; 19.

Commissioners may frame and promulgate Forms and Directions,
and make General Rules for Procedure under this Act ; 20.

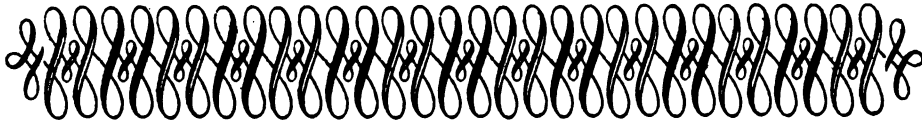
On Determination of Commission, certain Powers under this Act to
be vested in Court of Chancery ; 21.

Recited Act and this Act to be construed as One Act ; 22.

Act may be amended or repealed ; 23.

SCHEDULE.

9 April 1850. 13 VICT.



(Ireland.)

A

B I L L

TO

Provide more simple and effectual Securities for
Advances to Purchasers of Incumbered Estates
in Ireland.

[Note.—The Words printed in *Italics* are proposed to be inserted
in the Committee.]

WHEREAS an Act was passed in the last Session of Parlia-
ment, intituled “An Act further to facilitate the Sale
“ and Transfer of Incumbered Estates in Ireland :” And
whereas Sales might be more advantageously made under the said
5 Act if simple and effectual Securities could be made to Persons
advancing Money to the Purchasers : Be it enacted, therefore, by the
Queen’s most Excellent Majesty, by and with the Advice and
Consent of the Lords Spiritual and Temporal, and Commons, in this
present Parliament assembled, and by the Authority of the same,
10 That where any Land or Lease is sold by or under the Control of
the Commissioners under the said recited Act, and the Purchaser
has procured from any other Person or Persons an Advance of any
Part or Parts of the Purchase Money, it shall be lawful for the
Commissioners, upon the Request and at the Expense of the Pur-
15 chaser, to charge such Land or Lease with the Payment to the
Person or (as the Case may require) to each of the Persons aforesaid
of the respective Sum advanced by him, in One Sum or by Instal-
ments, at such Time or Times, and with Interest in the meantime at
207. A such

Preamble.
12 & 13 Vict.
c. 77.

Land sold
under
12 & 13 Vict.
c. 77. may
be charged
in favour of
Persons ad-
vancing Part
of Purchase
Money.

Charge not
to exceed
One Half
the Purchase
Money.

such Rate, not exceeding Six Pounds per Centum per Annum, as may be agreed upon by the Purchaser and the Person making such Advance, but so that the whole Amount of Principal Money to be charged under the Powers of this Act on any Land or Lease shall not exceed One Half of the Amount of the Purchase Money of 5 such Land or Lease, and no Sum or Charge subject to which such Land or Lease is sold shall for the Purposes of this Enactment be deemed Part of such Purchase Money.

Form of
Charge.

II. And be it enacted, That every Charge to be made under this Act shall be made by a Certificate under the Seal of the Commis- 10 sioners and the Hands of Two of the Commissioners, to be called a Certificate of Charge; and such Certificate shall specify the Amount of the Purchase Money of the Land or Lease, the whole Amount of Principal Money to be charged thereon under the Powers of this Act, and the Amounts of any gross Sums or annual Charges (other 15 than Rent-charges in lieu of Tithes, Crown Rents, or Quit Rents,) subject to which the Land or Lease is sold, and may specify any Place, to be agreed upon between the Purchaser and the Person making the Advance, as the Place of Payment of the Principal Money and Interest charged by such Certificate; and, if the Parties 20 so agree, such Certificate may provide that such Principal Money, or any Part or Parts thereof, shall continue upon the Security of such Certificate for any Term or Terms of Years, Period or Periods, in such Certificate mentioned, and the Land or Lease charged thereby may be described by reference to the Conveyance or Assignment 25 thereof under the said Act, or otherwise, as the Commissioners may think fit; and such Certificate may be in the Form set forth in the Schedule to this Act, or in such other Form as the Commissioners may think proper; and the Commissioners may annex to every or any such Certificate (in such Form as to admit of being separately 30 detached therefrom) Receipts for any Instalments of Principal Money thereby charged, and for half-yearly Payments of Interest, as they may think convenient; and every such Certificate shall be dated and numbered, and shall refer to the Conveyance or Assignment under the said Act of the Land or Lease charged by such Certificate, by 35 mentioning the Letters, Numbers, or distinguishing Marks with which such Conveyance or Assignment is marked pursuant to this Act, and shall be issued to the Person in whose Favour the same is made, when the Purchase Money of the Land or Lease charged thereby has been paid or satisfied according to the Provisions of the 40 said Act.

Certificate
to be referred
to in Con-
veyance.

III. And be it enacted, That every such Certificate shall be referred to in the Conveyance or Assignment under the said Act of

of the Land or Lease charged thereby, and such Conveyance or Assignment shall be made subject to the Charge created by every such Certificate.

IV. And be it enacted, That every Conveyance and Assignment
 5 to be hereafter made by the Commissioners shall be executed in Duplicate, and shall be registered in the Office for registering Deeds, Conveyances, and Wills in Ireland, by the Deposit of One of such Duplicates in lieu of a Memorial of such Conveyance or Assignment, but no Affidavit of the Execution of such Conveyance or Assignment
 10 shall be required; and the Fees which would be payable, and, save as herein otherwise provided, all Provisions which would be applicable, for and in relation to the registering in such Office of a Memorial of such Conveyance or Assignment, shall respectively be payable for and applicable to the registering of One of such Duplicates as aforesaid;
 15 and where any Certificate of Charge is issued under this Act the Conveyance or Assignment to the Purchaser in respect of whose Purchase Money the Advance secured by such Certificate is made shall be marked with some Letters, Numbers, or distinguishing Marks, for the Purpose of such Conveyance or Assignment being referred to
 20 in such Certificate, and in registering such Conveyance or Assignment as last aforesaid there shall be entered in the "Abstract Book" kept in the said Office, in the Column in which the Date of the Instrument is required to be entered, and in addition to such Date, the Letters, Numbers, or distinguishing Marks with which the Conveyance or
 25 Assignment is marked under this Act; and any Person applying for a Copy of any Duplicate registered as aforesaid shall be entitled to an Office Copy thereof, certified under the Hand of the Registrar or an Assistant Registrar, on paying for the same after the Rate of *Two-pence* per Folio of Ninety Words; but no Stamp Duty shall be
 30 payable in respect of more than One of such Duplicates, or of any such Copy.

All Conveyances and Assignments by the Incumbered Estates Commissioners to be executed in Duplicate, and One Duplicate registered; and where Certificate issued, Conveyance or Assignment to be marked for Reference; any Person may have an Office Copy of registered Duplicate.

V. And be it enacted, That upon the issuing of every Certificate of Charge under this Act the Principal Money and Interest mentioned to be charged thereby shall become a Charge upon the Land
 35 or Lease upon which the same shall be therein mentioned to be charged in priority to the Title derived by the Purchaser under the said Act, and subject only to the Estates, Rights, and Charges, if any, which the Purchaser would take subject to under the Provisions of the said Act; and where there shall be more than One Certificate
 40 of Charge in respect of the same Land or Lease there shall be no Priority of Charge as between the Charges made by such several Certificates, notwithstanding Priority in the Execution or the Date or Number thereof.

On Issue of Certificate, Principal and Interest to become a Charge in priority of the Purchaser's Title.

207.

VI. And

Certificates
to be trans-
ferable by
Endorse-
ment.

VI. And be it enacted, That the Charge made by any such Certificate shall be deemed Personal Estate, and shall be transmissible as Personal Estate in possession; and such Certificate, and the Charge thereby made, shall be transferable by Endorsement of such Certificate, and such Endorsement may be in the Form set forth in the 5 Schedule to this Act, or to the like Effect.

Registrar of
Deeds to
keep a Re-
gister of
Owners of
Certificates
of Charge.

VII. And be it enacted, That there shall be kept at the said Office for registering Deeds, Conveyances, and Wills a Book, to be called "The Register of Owners of Certificates of Charge;" and in such Book shall be entered the Names and Addresses of the 10 Owners for the Time being of the Certificates issued under this Act, and the Number and Date of every such Certificate, and the Letters, Numbers, or distinguishing Marks with which the Conveyance or Assignment of the Land or Lease affected by such Certificate is marked, pursuant to this Act; and upon any Certificate 15 issued under this Act being produced at the said Office, and upon Payment of a Fee of the Person to whom the Money charged by such Certificate is thereby made payable shall be entitled to have his Name and Address entered in such Register; and upon the Deposit at the said Register Office of a Memorandum 20 in Writing of the Transfer of any such Certificate by the registered Owner for the Time being thereof, mentioning the Number and Date of the Certificate transferred, and the Letters, Numbers, or distinguishing Marks with which the Conveyance or Assignment of the Land or Lease affected by such Certificate is marked, pur- 25 suant to this Act, and the Name and Address of the Person to whom such Certificate is transferred, and signed by the Person transferring the same (such Signature being attested by some Witness), and upon Payment of such Fee as last aforesaid, the Person to whom such Certificate is in such Memorandum mentioned to have 30 been transferred shall be entitled to have his Name and Address entered in such Register, and such Memorandum as aforesaid may be in the Form set forth in the Schedule to this Act, or to the like Effect; and the registered Owner for the Time being of any such Certificate shall, upon Payment of a Fee of 35 be entitled to a Certificate, under the Hand of the Registrar or an Assistant Registrar of the said Office, of his being such registered Owner; and any registered Owner for the Time being who desires to have his Address altered in the said Register shall be entitled, upon the Deposit at the said Office of a Notice in Writing signed by him, 40 and signifying such his Desire, and mentioning the Number and Date of the Certificate of which he is the registered Owner, and the Letters, Numbers, or distinguishing Marks with which the Conveyance or Assignment of the Land or Lease affected by such Certificate is

is marked, pursuant to this Act, and the Address which such registered Owner may desire to have entered on the said Register in lieu of his existing registered Address, and upon Payment of a Fee of _____ for such Entry in respect to each Certificate, shall be entitled to have his Address altered in such Register accordingly.

VIII. And be it enacted, That if the Charge made by any Certificate under this Act become transmitted in consequence of the Death, Bankruptcy, or Insolvency of the Owner thereof, or in consequence of the Marriage of such Owner, being a Female, or by any lawful Means other than such Transfer as herein provided, then upon the Deposit at the said Office for registering Deeds, Conveyances, and Wills of an Affidavit made before the Registrar or an Assistant Registrar of the said Office, or any Person before whom an Affidavit of the Execution of a Memorial to be registered in the said Office may be sworn, or any Person empowered to take Affidavits which may be received in Evidence in the Court of Chancery in Ireland, or any Person authorized by the Commissioners to take Affidavits as in the said recited Act in this Behalf mentioned, stating the Manner in which and the Party to whom the Charge made by such Certificate has become transmitted as aforesaid, and containing in the Case of a Marriage of a Female Owner of a Certificate a Copy of the Register of such Marriage or other Particulars of the Celebration thereof, and declaring the Identity of the Wife with the Owner of the Certificate, and upon Payment in every Case of a Fee of _____ the Person to whom the Charge made by any such Certificate is so transmitted shall be entitled to have his Name and Address entered in the said Register as the registered Owner of such Certificate.

Persons claiming, on Transmission of Charge, by Death, &c. of Owner of Certificate, may be registered, on Proof of Title, by Declaration, &c.

IX. And be it enacted, That where the Commissioners have annexed Receipts to any Certificate of Charge issued under this Act the Party paying any Money due or owing on any such Certificate shall be entitled to require that the Receipt relating to such Payment shall be delivered to him; and, as between any Transferee of any such Certificate and the Persons interested in the Land or Lease charged thereby, the Receipt or Receipts remaining annexed to such Certificate, or delivered therewith to such Transferee, shall be Evidence of the Amount remaining unpaid on such Certificate.

Receipt to be delivered up on Payment.

X. And be it enacted, That any Person paying to the registered Owner for the Time being of any Certificate of Charge issued under this Act any Money owing on such Certificate, shall not be bound to see to the Execution of any Trust, whether express, implied, or constructive, to which such Certificate, or any Money secured thereby, may

Persons paying off Money owing on Certificates not bound to regard Trusts.

Receipt of
Owner of
Certificate a
Discharge.

may be subject; and the Receipt of such registered Owner of or for such Money shall, notwithstanding any Trust to which such Certificate, or any Money secured thereby, may then be subject, and notwithstanding Notice of such Trust, be a sufficient Discharge to the Person paying the same, and such Person shall not be bound to see 5 to the Application of the Money paid on such Receipt.

Where Prin-
cipal or Inte-
rest due on
any Certi-
ficate is in
arrear for
Three
Months,
Commis-
sioners may
order a Sale
of the Land
charged.

XI. And be it enacted, That where any Principal Money or Interest payable under any such Certificate as aforesaid shall be in arrear for *Three Calendar Months*, the Owner for the Time being of such Certificate may apply to the Commissioners for a Sale of 10 the Land or Lease charged therewith; and upon Application, and after such Notice to the registered Owners of all Certificates of Charge by which such Land or Lease shall be charged under this Act, and to such other Persons as the Commissioners may think fit and direct, it shall be lawful for the Commissioners to make an Order 15 for the Sale of such Land or Lease or any Part thereof, and to proceed to a Sale and Conveyance or Assignment of such Land or Lease or Part thereof, or otherwise in relation to such Sale as in the Case of a Sale or Sales under the said Act; and where any Sale is ordered as aforesaid all unpaid Principal Monies charged under this 20 Act on the Land or Lease so to be sold shall be deemed to be due and payable, and, subject to the Payment of Costs and Expenses, the Commissioners may authorize the Bank of Ireland to pay the Amounts due on the Certificates chargeable on the Land or Lease sold, in such Manner and subject to such Regulations as the Commissioners may 25 from Time to Time by General Rule or Special Order direct; and notwithstanding the Provisions of the said recited Act such Application for Sale as aforesaid may be made to the Commissioners at any Time during the Continuance of the Office of such Commissioners, and an Order for Sale may be made as aforesaid although the 30 Amount of the yearly Interest on Incumbrances and yearly Payments in respect of Charges payable out of the Income of the Land or Lease to which the Application relates does not exceed One Half of the net yearly Income of such Land or Lease.

Petitioner
for Sale to
deposit his
Certificate,
and to be
liable to be
redeemed.

XII. And be it enacted, That the Party applying for such Sale as 35 aforesaid shall, on making his Application, deposit with the Commissioners all his Certificates chargeable upon the Land or Lease sought to be sold, and shall be liable to have such Certificates redeemed on Payment by any Party interested in such Land or Lease, or the Owner of any unsatisfied Certificate chargeable thereon, of the 40 Principal Money remaining owing on such Certificates, and all Interest accrued in respect thereof, and the Costs of the Applicant for Sale of and in relation to the Application; and thereupon the Person applying

applying as aforesaid shall transfer such Certificates to the Person redeeming the same.

XIII. And be it enacted, That the Money made payable by any Certificate of Charge under this Act shall not be or be deemed a Debt from the Purchaser in respect of whose Purchase the same has been advanced, nor shall the Person to whom such Money is made payable by such Certificate or by virtue of any Endorsement have any Right of Action against such Purchaser or his Representatives, or against any Person whomsoever, in respect of the Money payable under such Certificate.

Money charged by Certificate not to be deemed a Debt.

XIV. And be it enacted, That, subject to any Provision contained in any Certificate of Charge for the Continuance of any Principal Money secured thereby upon the Security of such Certificate during any specified Term or Period, any Party interested in any Land or Lease shall, at the Expiration of *Two* Years from the Dates of the several Certificates of Charge affecting the same, be at liberty to give to the Owners of all such Certificates *Three* Calendar Months Notice in manner herein mentioned of his Intention to pay all Monies remaining secured on such Certificates, though not then payable; and thereupon such Monies shall, as against the Party giving such Notice, and those claiming under him, be payable at the Expiration of such Notice; and such Party and his Representatives shall, within *Fifteen* Days after the Expiration of such Notice, be at liberty to pay into the Bank of Ireland the Amount payable upon all such Certificates as shall then be outstanding in satisfaction of such Amount.

Owner of Land to be at liberty to pay off Certificates, on giving *Three* Months Notice.

XV. And be it enacted, That any Notice required under this Act to be given to the Owner for the Time being of any Certificate under this Act may be so given by sending such Notice through the Post Office, addressed to the Name and Address appearing from such Register to be the Name and Address of the Owner of such Certificate, and by publishing such Notice in the Dublin Gazette, or in such other Manner (if any) as the Commissioners may appoint.

Notices may be sent to registered Name and Address, and published in Dublin Gazette.

XVI. And be it enacted, That the Place where any such Certificate as aforesaid shall be shall determine where the Monies thereby respectively secured shall be bona notabilia, and where such Place shall be in Great Britain it shall not be necessary to obtain Probate of a Will or Letters of Administration out of any Ecclesiastical Court in Ireland in order to entitle the Executors or Administrators to receive any Money secured by any such Certificate, or to assign or otherwise deal with such Certificate.

In what Place Monies secured by Certificates to be bona notabilia.

207.

XVII. And

Judgment
not to be a
Charge upon
Certificate.

3 & 4 Vict.
c. 105.

XVII. And be it enacted, That no Judgment against the Owner for the Time being of any Certificate under this Act shall operate as a Charge upon the Land affected thereby, or upon such Certificate, or the Money secured thereby under the Provisions of the Act of the Fourth Year of Her Majesty's Reign, intituled "An Act for 5
" abolishing Arrest on Mesne Process in Civil Actions, except in
" certain Cases, for extending the Remedies of Creditors against
" the Property of Debtors, and for the further Amendment of
" the Law and better Advancement of Justice, in Ireland," or otherwise.

10

Stamp on
Certificates.

XVIII. And be it enacted, That every Certificate of Charge issued under this Act shall be chargeable with the like ad valorem and progressive Duties as are chargeable in respect of a Mortgage; but the Words contained in any Receipts annexed thereto under this Act, or in any Endorsement on any such Certificate, shall not be 15
reckoned in computing such progressive Duty; and such Receipts and Endorsements shall not be chargeable with other Stamp Duty.

Power to
Trustees
having Au-
thority to
invest on
Real Secu-
rities in
England or
Wales, Great
Britain, or
Ireland, to
lend Money
on Security
of Certi-
ficates of
Charge.

XIX. And be it enacted, That it shall be lawful for any Person or Persons who, under or by virtue of any Trust or Power already given, created, or reserved, or hereafter to be given, created, or 20
reserved, is or are authorized or directed to lend Money at Interest on Real Security or Real Securities in England or Wales, or on Real Security or Real Securities in Great Britain, or on Real Security or Real Securities in Ireland, to lend the same or any Part thereof on any Certificate or Certificates of Charge under this Act, 25
in the same Manner in all respects as if such Investment had been expressly authorized in or by such Trust or Power; and such Person or Persons shall not, on account of his or their so lending Money on such Certificate or Certificates, be considered in a Court of Equity guilty of any Breach of Trust, or held accountable, further 30
or otherwise than if the Money had been laid out by him or them on Real Security or Real Securities in England, Wales, Great Britain, or Ireland respectively.

Commis-
sioners may
frame and
promulgate
Forms and
Directions,
and make
General
Rules for
Procedure
under this
Act.

XX. And be it enacted, That the Commissioners may, if and as they see Occasion, frame, and cause to be printed and circulated or 35
promulgated, all such Forms and Directions as they may consider requisite or expedient for the Assistance and Guidance of Persons acting under the Provisions of this Act, and for facilitating Proceedings under this Act, and it shall be lawful for the Commissioners, from Time to Time, by General Rules or any Special Order, to make 40
such Provision as they think fit concerning the Mode of issuing Certificates for the Lodgment or Deposit of Money by Persons agreeing

agreeing to advance Money to be charged under this Act until the Issue of Certificates of Charge in respect thereof; for the calling in and annulling of Certificates, and for the Issue of others, in case of Forgery, Abstraction, Destruction, defacing, or Loss of Certificates, or other like Inconvenience; for the Guidance of the Registrar in forming and keeping the Register of Owners of Certificates of Charge; for the giving of Notices; for regulating the Mode and Place of Payment of Certificates; for preserving Evidence of such Payment, by the Issue of Certificates thereof, or by Endorsements upon Conveyances and Assignments; for enabling Persons entitled to Portions of Purchase Money, and who shall be desirous of continuing the same or any Part thereof on the Security of the Land or Lease sold, to have the same considered as Money advanced by them on account of the Purchase Money, without the Necessity of paying the same into the Bank; and otherwise for regulating the Course of Procedure under and giving Effect to the Objects and Provisions of this Act; and any such General Rule shall, on being confirmed and enrolled as in the said Act is directed, have the same Force, and may be rescinded, amended, or altered in the same Manner, as General Rules contemplated by the said Act, and shall be laid before both Houses of Parliament within the like Period as provided by the said Act in relation to such General Rules as last aforesaid.

XXI. And be it enacted, That all the Jurisdiction, Powers, and Authorities hereby given to the Commissioners for Sale of Incumbered Estates in Ireland shall, upon the Determination of the Powers of such Commissioners, be vested in the High Court of Chancery of Ireland; and such Court may, by Orders of such Court, make such Provision in relation to the Objects and Provisions of this Act as the Commissioners might have made by their Rules or Orders in case their Powers had not determined.

On Determination of Commission, certain Powers under this Act to be vested in Court of Chancery.

XXII. And be it enacted, That the said recited Act and this Act shall be construed together as One Act.

Recited Act and this Act to be construed as One Act.

XXIII. And be it enacted, That this Act may be amended or repealed in this present Session of Parliament.

Act may be amended, &c.

SCHEDULE.

No. 1.

CERTIFICATE of CHARGE affecting LANDS comprised in a Conveyance
[or Assignment] marked A.

WE, Two of the
Commissioners for Sale of Incumbered Estates in Ireland, do hereby
certify, That *A.B.* of has advanced the Sum
of Pounds on account of the Purchase Money,
amounting to the Sum of Pounds, for certain Lands
situate in [*mention the Barony and County, or County of a City or*
Town, and Parish and Street, in which the Lands are situate], and
comprised in and conveyed [assigned] to *C.D.* of
by a Conveyance [Assignment] by the said Commissioners, dated
and marked with the Letter A. ; and we hereby
charge the same Lands with the Payment of the said Sum of
Pounds, with Interest thereon at the Rate of
Pounds per Centum per Annum [*here insert the Terms of Payment*
of the Principal and Interest, and the Place (if any) agreed on for
Payment thereof]; and we certify that the whole Principal Money
charged on the said Lands under Certificates of Charge amounts to
the Sum of Pounds, and that the said Lands were sold
subject to [*mention any gross Sums or annual Charges (other than*
Tithe Rent-charges, Crown Rents, and Quit Rents,) subject to which
the Lands were sold]. In witness whereof we the said
and have hereunto set our Hands and the Seal of the
said Commissioners, this Day of in
the Year of our Lord 185 .

E.F.

G.H.

[*Seal of the said Commissioners.*]

[*Here may follow Receipts for Principal and Interest respectively.*]

No. 2.

FORM OF INDORSEMENT OF TRANSFER OF CERTIFICATE.

I *A.B.* of hereby transfer the within-written Certificate
to *C.D.* of . Dated this Day of
18 .

A. B.

No. 3,

No. 3.

FORM of MEMORANDUM of TRANSFER of CERTIFICATE.

I *A. B.* of have transferred to *C. D.* of a
Certificate of Charge No. dated affecting Lands
comprised in a Conveyance [*or Assignment*] marked .
Dated this Day of 18 .

A. B.

Witness,
E. F., of .

Securities for Advances.

(Ireland.)

A

B I L L

To provide more simple and effectual
Securities for Advances to Purchasers
of Incumbered Estates in Ireland.

*(Prepared and brought in by
Mr. Solicitor General, Sir George Grey, and
Sir William Somerville.)*

*Ordered, by The House of Commons, to be Printed,
9 April 1850.*

207.

Under 2 oz.

25 July 1850. 13 & 14 Viet.



A

B I L L

INTITULED

An Act to continue an Act of the Eleventh and Twelfth Years of the Reign of Her present Majesty, intituled “ An Act to prevent, until
“ the First Day of September One thousand
“ eight hundred and fifty, and to the End of
“ the then Session of Parliament, the spreading
“ of contagious or infectious Disorders among
“ Sheep, Cattle, and other Animals.”

WHEREAS in the Session of Parliament held in the Eleventh and Twelfth Years of the Reign of Her present Majesty an Act was passed, intituled “ An Act to prevent, until
“ the First Day of September One thousand eight hundred and fifty,
5 “ and to the End of the then Session of Parliament, the spreading of
“ contagious or infectious Disorders among Sheep, Cattle, and other
“ Animals :” And whereas it is expedient that the said Act should be further continued : Be it therefore enacted by the Queen’s most Excellent Majesty, by and with the Advice and Consent of the Lords
10 Spiritual and Temporal, and Commons, in this present Parliament
610. assembled,

2 *Sheep and Cattle Contagious Disorders Prevention
Continuance.*

Recited
Act con-
tinued till
1st Sept.
1851.

assembled, and by the Authority of the same, That the said Act shall continue and be in force until the First Day of September One thousand eight hundred and fifty-one, and, if Parliament be then sitting, then further until the End of the then Session of Parliament.

Sheep, and Cattle Contagious
Disorders Prevention Con-
tinuance.

A

B I L L

INTITLED

An Act to continue an Act of the
Eleventh and Twelfth Years of the
Reign of Her present Majesty, inti-
tuled “An Act to prevent, until the
“ First Day of September One thou-
“ sand eight hundred and fifty, and
“ to the End of the then Session of
“ Parliament, the spreading of con-
“ tagious or infectious Disorders among
“ Sheep, Cattle, and other Animals.”

(Brought from the Lords 17 July 1850.)

*Ordered, by The House of Commons, to be Printed,
25 July 1850.*

610.

Under 1 oz.

27 June 1850. 13 & 14 Vict.



A

B I L L

ENTITLED

An Act to provide for the Appointment of Sheriff of the County of Westmoreland.

WHEREAS the Office of High Sheriff of Westmoreland, by Preamble.
virtue of a certain Grant or Grants of His Majesty King
John to Robert de Veteripont and his Heirs, and of divers
Assignments or Conveyances thereof, descended and came to Henry
5 Earl of Thanet now deceased, who in his Lifetime and at the Time
of his Death was and exercised and enjoyed the said Office of
Hereditary High Sheriff, descendible to him and his Heirs: And
whereas the said Henry Earl of Thanet died on or about the Twelfth
Day of June One thousand eight hundred and forty-nine without
10 lawful Issue, having first made and published his Will, whereby (as it
is alleged) he devised the said Office of Sheriff to Richard Tufton
for Life, with divers Remainders over: And whereas Doubts have
arisen whether the said Office of Sheriff passed by the said Devise
contained in the said Will, or whether it became on the Death of
15 the said Henry Earl of Thanet vested in his Heir or Heiress at Law,
or whether it escheated to the Crown: And whereas it being imprac-
ticable to settle and ascertain such Doubts and Rights within the
Time necessary for executing and performing the said Office of
487. Sheriff

12 & 13 Vict.
c. 42.

Sheriff within the said County, and it being necessary for the Administration of Justice within the said County that a Sheriff for the said County should be appointed until such Doubts and Rights could be settled and ascertained, it was by a certain Act of Parliament passed in the Thirteenth Year of the Reign of Her Majesty, 5 intituled "An Act to provide for the Execution for One Year of " the Office of Sheriff in the County of Westmoreland," enacted that it should be lawful for Her Majesty, from and after the passing of that Act, to nominate and appoint, in Manner and Form therein mentioned, such Person to be Sheriff for One Year of the County 10 of Westmoreland as She should by the Advice of Her Council think fit: And whereas, in pursuance of the said Power given to Her Majesty by the said Act, Her Majesty, on the Eighteenth Day of July in the Year One thousand eight hundred and forty-nine, was graciously pleased, by the Advice of Her Council, to appoint George Edmund 15 Wilson of Heversham House, Esquire, to be Sheriff of the County of Westmoreland: And whereas grave Inconveniences have arisen in consequence of the said Office of Sheriff of Westmoreland having been so vested in the Heirs of the said Robert de Veteripont, and also still further Inconveniences in consequence of the conflicting Claims 20 of different Persons to the said Office under or by virtue of the said Grant; and the like Inconveniences may again occur if the Right to hold, exercise, or enjoy the said Office should be continued as aforetime in any of Her Majesty's Subjects; wherefore it is expedient that Provision should be made for the discontinuing and abolishing 25 such Rights, and for vesting the Appointment of the Sheriff of the County of Westmoreland in Her Majesty, Her Heirs and Successors, in like Manner as is the Case in all other Counties of England and Wales: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual 30 and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the first Appointment by Her Majesty, Her Heirs and Successors, of any of Her Majesty's Subjects, in manner herein-after mentioned, to be Sheriff of the County of Westmoreland, all Right and Title in the 35 said Robert de Veteripont, his Heir or Heirs, or any Person or Persons claiming through or under any of them, or under any Devise, Conveyance, or Assurance made by them or any of them, or under or by virtue of any hereditary Claim or Title whatsoever to hold, exercise, and enjoy the Office of Sheriff of Westmoreland, shall for 40 ever cease and determine.

After the first Appointment by Her Majesty of Sheriff of Westmoreland, all other Rights to make such Appointment to cease.

After passing of Act, Her Majesty to appoint to Office of Sheriff.

II. And be it enacted, That from and after the passing of this Act it shall be lawful for the Queen's most Excellent Majesty, Her Heirs and Successors, to appoint, in such Manner and Form as is provided

provided by an Act passed in the Session of Parliament holden in the Third and Fourth Years of the Reign of King William the Fourth, for, amongst other things, "facilitating the Appointment of 3 & 4 W. 4.
" Sheriffs," such Person (being by Law competent to hold and c. 99.
5 exercise the Office of Sheriff) to be Sheriff of the County of Westmoreland as She shall, by the Advice of Her Privy Council, think fit, and hereafter from Time to Time as Occasion shall require to appoint in like Manner and Form any other Person (so being by Law competent as aforesaid) to be Sheriff of the said County of Westmoreland; and such Person so to be from Time to Time appointed shall 10 hold, use, and execute the said Office of Sheriff within the said County of Westmoreland, and upon taking the Oath of Office by the said Act prescribed shall thenceforth have and exercise all the Powers, Privileges, and Authorities hitherto usually exercised and enjoyed 15 by the Sheriff of the County of Westmoreland, or any other Sheriff now or heretofore appointed under and by virtue of the said last-mentioned Act, and shall be subject and liable to the same Duties and Liabilities as the Sheriff of the County of Westmoreland has hitherto been subject and liable to, and to all the Liabilities imposed upon 20 Sheriffs in England and Wales by the said last-mentioned Act.

III. Provided always, and be it enacted, That the said George Edmund Wilson shall continue to hold, use, and execute the said Office of Sheriff of the County of Westmoreland until the Appointment by Her Majesty, Her Heirs or Successors, of some other Person 25 to be Sheriff of the said County under this Act.

G. E. Wilson,
Esq. to continue Sheriff
of Westmoreland until
another
appointed.

Sheriff of Westmoreland Appointment.

A

B I L L

INTITULED

An Act to provide for the Appointment
of Sheriff of the County of Westmore-
land.

(*Brought from the Lords 27 June 1850.*)

*Ordered, by The House of Commons, to be Printed,
27 June 1850.*

487.

Under 1 oz.

5 February 1850. 13 VICT.



A

B I L L

FOR

The better assessing and collecting the Poor
Rates and Highway Rates in respect of Small
Tenements.

[Note. — The Words printed in *Italics* are proposed to be inserted
in the Committee.]

WHEREAS the Collection of Poor Rates and Highway Rates assessed upon the Occupiers of Tenements of small annual Value is expensive, difficult, and frequently impracticable, and it is expedient to make better Provision for the rating of such Tenements, and for the Collection of such Rates: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the *passing of this Act* it shall be lawful for the Vestry of any Parish, by a Majority of *Two Thirds* at least of the Votes of the Persons present, and competent to vote thereat, from Time to Time and at all Times hereafter to declare and order that the Owners of Tenements in such Parish the yearly Rent or Value whereof respectively shall not exceed Six Pounds shall be rated and assessed to the Rates for the Relief of the Poor in respect of such Tenements, instead of the Occupiers thereof, and the Order so made shall remain in force until rescinded; and it shall be lawful for the Vestry of the said Parish, by such Majority as aforesaid, to rescind and annul any such Order.

Preamble.

Majority of
Two Thirds
of Vestry to
determine
whether 6l.
Tenements
shall be
rated to the
Owners
instead of
Occupiers.

15.

II. And

If Vestry so determined, the Poor Rates and Highway Rates to be rated to Owners.

II. And be it enacted, That whilst any such Order is in force the respective Owners of such Tenements now being occupied by any Person having no greater Estate or Interest therein than a Tenancy from Year to Year, or, after the *passing of this Act*, being occupied by any Person holding under any Lease, Letting, or Tenancy whatever, shall 5 be rated and assessed (instead of the Occupiers thereof) to the Rates for the Relief of the Poor and to the Rates for the Repairs of the Highways which otherwise such Occupiers might by Law be rated to.

Remedies for recovering of Rates.

III. And be it enacted, That the Rates to be assessed as aforesaid, 10 together with the Costs and Charges of levying and recovering the same, may be levied on the Goods of and recovered from the respective Owners of such Tenements as aforesaid, by Distress, Action, Suit, or other Proceeding, in the same Way as such Rates, if lawfully assessed to the Occupiers of such Tenements, might by Law be 15 levied on the Goods of or recovered from such Occupiers; and, further, the Goods and Chattels of the Occupiers of such Tenements shall be liable to be distrained and sold for Payment of such of the said Rates as shall accrue due during their respective Occupations, in the same Way as if such Rates were assessed to such Occupiers; but such 20 Occupiers (whether being distrained upon, or paying such Rates in order to prevent Distress,) may deduct the respective Amounts so to be answered by them, together with all Costs and Charges they may have incurred on account thereof, from their Rents payable in respect of such Tenements, and such Amounts shall be deemed Debts 25 due from such Owners to such Occupiers, and be recoverable by Action.

Owners possessed to have the Privileges of Occupiers.

IV. And be it enacted, That every such Owner as aforesaid shall have the same Right of Appeal against Rates, and the same Right to vote in Vestry, as if he were an Occupier duly rated. 30

Definition of Terms.

V. And be it enacted, That the Word "Tenement" in this Act shall include Land, House, Cottage, and any corporeal Hereditaments; and the Word "Owner" shall include every Person receiving or claiming Rent on his own Account, or as Trustee for any other Person, and every Mortgagee in receipt of Rent; and Words importing the 35 Masculine Gender shall include Females as well as Males.

Extension of Act.

VI. And be it enacted, That this Act shall extend only to England and Wales.

Act may be amended, &c.

VII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament. 40

1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100. 101. 102. 103. 104. 105. 106. 107. 108. 109. 110. 111. 112. 113. 114. 115. 116. 117. 118. 119. 120. 121. 122. 123. 124. 125. 126. 127. 128. 129. 130. 131. 132. 133. 134. 135. 136. 137. 138. 139. 140. 141. 142. 143. 144. 145. 146. 147. 148. 149. 150. 151. 152. 153. 154. 155. 156. 157. 158. 159. 160. 161. 162. 163. 164. 165. 166. 167. 168. 169. 170. 171. 172. 173. 174. 175. 176. 177. 178. 179. 180. 181. 182. 183. 184. 185. 186. 187. 188. 189. 190. 191. 192. 193. 194. 195. 196. 197. 198. 199. 200. 201. 202. 203. 204. 205. 206. 207. 208. 209. 210. 211. 212. 213. 214. 215. 216. 217. 218. 219. 220. 221. 222. 223. 224. 225. 226. 227. 228. 229. 230. 231. 232. 233. 234. 235. 236. 237. 238. 239. 240. 241. 242. 243. 244. 245. 246. 247. 248. 249. 250. 251. 252. 253. 254. 255. 256. 257. 258. 259. 260. 261. 262. 263. 264. 265. 266. 267. 268. 269. 270. 271. 272. 273. 274. 275. 276. 277. 278. 279. 280. 281. 282. 283. 284. 285. 286. 287. 288. 289. 290. 291. 292. 293. 294. 295. 296. 297. 298. 299. 300. 301. 302. 303. 304. 305. 306. 307. 308. 309. 310. 311. 312. 313. 314. 315. 316. 317. 318. 319. 320. 321. 322. 323. 324. 325. 326. 327. 328. 329. 330. 331. 332. 333. 334. 335. 336. 337. 338. 339. 340. 341. 342. 343. 344. 345. 346. 347. 348. 349. 350. 351. 352. 353. 354. 355. 356. 357. 358. 359. 360. 361. 362. 363. 364. 365. 366. 367. 368. 369. 370. 371. 372. 373. 374. 375. 376. 377. 378. 379. 380. 381. 382. 383. 384. 385. 386. 387. 388. 389. 390. 391. 392. 393. 394. 395. 396. 397. 398. 399. 400. 401. 402. 403. 404. 405. 406. 407. 408. 409. 410. 411. 412. 413. 414. 415. 416. 417. 418. 419. 420. 421. 422. 423. 424. 425. 426. 427. 428. 429. 430. 431. 432. 433. 434. 435. 436. 437. 438. 439. 440. 441. 442. 443. 444. 445. 446. 447. 448. 449. 450. 451. 452. 453. 454. 455. 456. 457. 458. 459. 460. 461. 462. 463. 464. 465. 466. 467. 468. 469. 470. 471. 472. 473. 474. 475. 476. 477. 478. 479. 480. 481. 482. 483. 484. 485. 486. 487. 488. 489. 490. 491. 492. 493. 494. 495. 496. 497. 498. 499. 500. 501. 502. 503. 504. 505. 506. 507. 508. 509. 510. 511. 512. 513. 514. 515. 516. 517. 518. 519. 520. 521. 522. 523. 524. 525. 526. 527. 528. 529. 530. 531. 532. 533. 534. 535. 536. 537. 538. 539. 540. 541. 542. 543. 544. 545. 546. 547. 548. 549. 550. 551. 552. 553. 554. 555. 556. 557. 558. 559. 560. 561. 562. 563. 564. 565. 566. 567. 568. 569. 570. 571. 572. 573. 574. 575. 576. 577. 578. 579. 580. 581. 582. 583. 584. 585. 586. 587. 588. 589. 590. 591. 592. 593. 594. 595. 596. 597. 598. 599. 600. 601. 602. 603. 604. 605. 606. 607. 608. 609. 610. 611. 612. 613. 614. 615. 616. 617. 618. 619. 620. 621. 622. 623. 624. 625. 626. 627. 628. 629. 630. 631. 632. 633. 634. 635. 636. 637. 638. 639. 640. 641. 642. 643. 644. 645. 646. 647. 648. 649. 650. 651. 652. 653. 654. 655. 656. 657. 658. 659. 660. 661. 662. 663. 664. 665. 666. 667. 668. 669. 670. 671. 672. 673. 674. 675. 676. 677. 678. 679. 680. 681. 682. 683. 684. 685. 686. 687. 688. 689. 690. 691. 692. 693. 694. 695. 696. 697. 698. 699. 700. 701. 702. 703. 704. 705. 706. 707. 708. 709. 710. 711. 712. 713. 714. 715. 716. 717. 718. 719. 720. 721. 722. 723. 724. 725. 726. 727. 728. 729. 730. 731. 732. 733. 734. 735. 736. 737. 738. 739. 740. 741. 742. 743. 744. 745. 746. 747. 748. 749. 750. 751. 752. 753. 754. 755. 756. 757. 758. 759. 760. 761. 762. 763. 764. 765. 766. 767. 768. 769. 770. 771. 772. 773. 774. 775. 776. 777. 778. 779. 780. 781. 782. 783. 784. 785. 786. 787. 788. 789. 790. 791. 792. 793. 794. 795. 796. 797. 798. 799. 800. 801. 802. 803. 804. 805. 806. 807. 808. 809. 810. 811. 812. 813. 814. 815. 816. 817. 818. 819. 820. 821. 822. 823. 824. 825. 826. 827. 828. 829. 830. 831. 832. 833. 834. 835. 836. 837. 838. 839. 840. 84

Small Tenements Rating.

A

B I L L

For the better assessing and collecting
the Poor Rates and Highway Rates in
respect of Small Tenements.

(*Prepared and brought in by
Mr. Halsey and Sir Henry Meux.*)

*Ordered, by The House of Commons, to be Printed,
5 February 1850.*

15.

Under 1 oz.

20 March 1850. 13 VICT.



A

B I L L

[AS AMENDED BY THE COMMITTEE, AND ON
RE-COMMITMENT]

FOR

The better assessing and collecting the Poor
Rates and Highway Rates in respect of Small
Tenements.

[Note.—*The Clauses marked A. and B. were added in Committee.*]

WHEREAS the Collection of Poor Rates and Highway Rates assessed upon the Occupiers of Tenements of small annual Value is expensive, difficult, and frequently impracticable, and it is expedient to make better Provision for the rating of such
5 Tenements, and for the Collection of such Rates: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act it
10 shall be lawful for the Vestry of any Parish, from Time to Time and at all Times hereafter, to declare and order that the Owners of Tenements in such Parish the yearly rateable Value whereof shall not exceed Six Pounds shall be rated and assessed to the Rates for the Relief of the Poor in respect of such Tenements instead of the
15 Occupiers thereof, and the Order so made shall remain in force until rescinded in the Manner herein-after authorized.

Preamble.

The Vestry to determine whether 6*l*. Tenements shall be rated to the Owners instead of Occupiers.

161.

II. And

CLAUSE A.
Order may be
rescinded by
a Majority of
Two Thirds
of Persons
present at
Vestry.

II. And be it enacted, That it shall be lawful for the Vestry of the said Parish, by a Majority of Two Thirds at least of the Votes of the Persons present at a Meeting duly called for that Purpose, and competent to vote thereat, at any Time after the Expiration of One Year from the Time when any such Order shall have been so made, to order that from and after a Day to be fixed by such Vestry, not being less than Two Years from the Date of such original Order, such Order shall cease and be rescinded, in which Case, from and after such last-mentioned Day, the said Order shall be rescinded and no longer in force: Provided nevertheless, that the Provisions in this Act contained shall remain and continue in force for the Purpose of collecting and recovering any Rate which may have been previously made in pursuance of such Order.

Whilst Order
in force,
the Poor
Rates and
Highway
Rates to be
rated to
Owners.

III. And be it enacted, That whilst any such Order is in force the respective Owners of such Tenements shall be rated and assessed (instead of the Occupiers thereof) to the Rates for the Relief of the Poor and to the Rates for the Repairs of the Highways which otherwise such Occupiers might by Law be rated to.

Remedies for
recovering of
Rates.

IV. And be it enacted, That the Rates to be assessed as aforesaid, together with the Costs and Charges of levying and recovering the same, may be levied on the Goods of and recovered from the respective Owners of such Tenements as aforesaid, by Distress, Action, Suit, or other Proceeding, in the same Way as such Rates, if lawfully assessed on the Occupiers of such Tenements, might by Law be levied on the Goods of or recovered from such Occupiers; and, further, the Goods and Chattels of the Occupiers of such Tenements shall be liable to be distrained and sold for Payment of such of the said Rates as shall accrue due during their respective Occupations, in the same Way as if such Rates were assessed on such Occupiers: Provided always, that such Owners paying such Rates in respect of Tenements continuing to be held by Occupiers under now existing Tenancies for a greater Term than from Year to Year shall be entitled to add what they shall so pay to the Rent payable in respect of such Tenements, and have the same Remedies for recovering the same as for Rent in arrear; and provided further, that Occupiers, other than such as shall continue to hold under now existing Tenancies for a greater Term than from Year to Year, may (whether distrained upon or paying such Rates to prevent Distress) deduct the respective Amount so to be answered by them as aforesaid, together with all Costs and Charges they may have incurred on account thereof, from the Rent payable in respect of such Tenements, and such Amounts shall be deemed Debts due from such Owners to such Occupiers, and be recoverable by Action.

V. And

V. And be it enacted, That every such Owner so rated as afore-
 said shall have the same Right of Appeal (subject to the same
 Conditions) against Rates, and the same Right to vote in Vestry,
 as if he were an Occupier duly rated in respect of the same
 5 Tenement.

Owners
 possessed to
 have the
 Privileges of
 Occupiers.

VI. And be it enacted, That the Word "Tenement" in this Act
 shall be construed to include any Land, House, Cottage, Apartment,
 or corporeal Hereditament; the Word "Owner" shall be construed
 to include any Person receiving or claiming the Rent of any such
 10 Tenement for his own Use, or receiving the same for the Use of any
 Corporation aggregate, or of any public Company, or of any Landlord
 or Lessor who shall be a Minor, under Coverture, or insane, or for
 the Use of any Person who shall not be usually resident within
 Twenty Miles from the Parish in which such Tenement shall be
 15 situated; the Word "Person" shall be construed to include any
 Corporation or public Company as well as any Individual; the Word
 "Parish" shall be construed to include any Parish, Township, Vill,
 or Place maintaining its own Poor separately; the Word "Vestry"
 shall be construed to include any Meeting of the Inhabitants of any
 20 such Parish, Township, Vill, or Place, to be held after due Notice for
 carrying into execution the Laws for the Relief of the Poor; and
 wherever in this Act, in describing any Person, Matter, or Thing, the
 Word importing the Singular Number or the Masculine Gender only
 is used, the same shall be understood to include and be applied to
 25 several Persons as well as one Person, and Females as well as Males,
 and several Matters or Things as well as one Matter or Thing re-
 spectively; unless there be something in the Subject or Context
 repugnant to such Construction.

CLAUSE B.
 Interpreta-
 tion Clause.

VII. And be it enacted, That this Act shall extend only to Eng-
 30 land and Wales, and shall not apply to any Place where Owners are
 made liable to be rated to the Relief of the Poor under the Provisions
 of any local Act.

Extension
 of Act.

VIII. And be it enacted, That this Act may be amended or repealed
 by any Act to be passed in this present Session of Parliament.

Act may be
 amended, &c.

Small Tenements Rating.

A

B I L L

[AS AMENDED BY THE COMMITTEE AND ON
RE-COMMITMENT]

For the better assessing and collecting
the Poor Rates and Highway Rates in
respect of Small Tenements.

(Prepared and brought in by
Mr. Halsey and Sir Henry Meux.)

*Ordered, by The House of Commons, to be Printed,
20 March 1850.*

161.

Under 1 oz.

25 April 1850. 13 VICT.



A

B I L L

[AS AMENDED BY THE COMMITTEE, ON RE-COMMITMENT, AND
ON CONSIDERATION OF AMENDMENTS]

FOR

The better assessing and collecting the Poor
Rates and Highway Rates in respect of Small
Tenements.

[Note.—*The Clauses marked A. and B. were added in Committee,
and Clauses C. and D. on Consideration of Amendments.*]

WHEREAS the Collection of Poor Rates and Highway Rates assessed upon the Occupiers of Tenements of small annual Value is expensive, difficult, and frequently impracticable, and it is expedient to make better Provision for the rating of such Tenements, and for the Collection of such Rates: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act it shall be lawful for the Vestry of any Parish, from Time to Time and at all Times hereafter, to declare and order that the Owners of Tenements in such Parish the yearly rateable Value whereof shall not exceed Six Pounds shall be rated and assessed to the Rates for the Relief of the Poor in respect of such Tenements instead of the Occupiers thereof, and the Order so made shall remain in force until rescinded in the Manner herein-after authorized.

Preamble.
The Vestry to determine whether 6l. Tenements shall be rated to the Owners instead of Occupiers.

272.

A

II. And

CLAUSE A.
Order may be
rescinded by
a Majority of
Two Thirds
of Persons
present at
Vestry.

II. And be it enacted, That it shall be lawful for the Vestry of the said Parish, by a Majority of Two Thirds at least of the Votes of the Persons present at a Meeting duly called for that Purpose pursuant to Notice, as herein-after mentioned, and competent to vote thereat, at any Time after the Expiration of Two Years from the 5 Time when any such Order shall have been so made, to order that from and after a Day to be fixed by such Vestry, not being less than Three Years from the Date of such original Order, such Order shall cease and be rescinded, in which Case, from and after such last-mentioned Day, the said Order shall be rescinded and no longer in 10 force: Provided nevertheless, that the Provisions in this Act contained shall remain and continue in force for the Purpose of collecting and recovering any Rate which may have been previously made in pursuance of such Order: Provided also, that Notice for calling every such Meeting as aforesaid shall be by Writing, signed 15 by Four Rate-payers of the Parish, affixed on the principal outer Door of the Parish Church or Chapel of the Parish, or on the usual Place of affixing Notices relating to the Affairs of the Parish, at some Time not less than Thirty or more than Forty Days previous to such Meeting. 20

Whilst Order
in force,
the Poor
Rates and
Highway
Rates to be
rated to
Owners.

III. And be it enacted, That whilst any such Order as firstly herein-before mentioned is in force the respective Owners of such Tenements shall be rated and assessed (instead of the Occupiers thereof) to the Rates for the Relief of the Poor and to the Rates for the Repairs of the Highways which otherwise such Occupiers 25 might by Law be rated to.

CLAUSE C.
Owner to
rated on
a reduced
Scale.

IV. And be it enacted, That whilst such Order as firstly herein-before mentioned is in force the Owner of every Tenement in every Parish the yearly rateable Value whereof shall not exceed Six Pounds shall be assessed to the Rates for the Relief of the Poor 30 and to the Rates for the Repairs of the Highways in respect of such Tenement at Three Fourths of the Amount at which such Tenement would be liable to be rated in case this Act had not passed; and further, that whilst such Order as firstly herein-before mentioned is in force, if any Owner of One or more such Tenements shall be 35 desirous of paying a Rate for One Year in respect of all such Tenements in any Parish, whether such Tenements be occupied or unoccupied, and shall give Notice in Writing of such his Desire to the Overseers of the Poor and the Surveyors of the Highways within One Calendar Month after the passing of this Act, or in any 40 subsequent Year within Fourteen Days next after the Twenty-fifth Day of March in that Year, then and in such Case such Owner shall be assessed to the Rates for the Relief of the Poor, and to the Rates

Rates for the Repair of the Highways, in respect of such Tenement or Tenements respectively, whether the same be occupied or unoccupied, from thenceforth till the Twenty-fifth Day of March following, at a Sum not being less than One Half of the Amount at which
 5 such Tenement or Tenements respectively would be liable to be rated if occupied in case this Act had not passed.

V. And be it enacted, That the Rates to be assessed as aforesaid, together with the Costs and Charges of levying and recovering the same, may be levied on the Goods of and recovered from the
 10 respective Owners of such Tenements as aforesaid, by Distress, Action, Suit, or other Proceeding, in the same Way as such Rates, if lawfully assessed on the Occupiers of such Tenements, might by Law be levied on the Goods of or recovered from such Occupiers; and, further, the Goods and Chattels of the Occupiers of such
 15 Tenements shall be liable to be distrained and sold for Payment of such of the said Rates as shall accrue due during their respective Occupations, in the same Way as if such Rates were assessed on such Occupiers.

Remedies for recovering of Rates.

VI. And be it enacted, That every such Owner so rated as aforesaid shall have the same Right of Appeal (subject to the same
 20 Conditions) against Rates, and the same Right to vote in Vestry, as if he were an Occupier duly rated in respect of the same Tenement.

Owners possessed to have the Privileges of Occupiers.

VII. And be it enacted, That such Owners paying such Rates
 25 in respect of Tenements continuing to be held by Occupiers under now existing Tenancies for a greater Term than from Year to Year shall be entitled to add what they shall so pay to the Rent payable in respect of such Tenements, and have the same Remedies for recovering the same as for Rent in arrear; and that Occupiers
 30 other than such as shall continue to hold under now existing Tenancies for a greater Term than from Year to Year may (whether paying such Rates voluntarily or by Compulsion) deduct the respective Amount so to be answered by them as aforesaid, together with all Costs and Charges they may have incurred on account thereof,
 35 from the Rent payable in respect of such Tenements, and such Amounts shall be deemed Debts due from such Owners to such Occupiers, and be recoverable by Action.

CLAUSE D.
 Owners of Tenements held for longer Periods than from Year to Year entitled to add to Rent the Amount paid for Rates.

VIII. And be it enacted, That the Word "Tenement" in this Act shall be construed to include any Land, House, Cottage, Apartment,
 40 or corporeal Hereditament; the Word "Owner" shall be construed to include any Person receiving or claiming the Rent of any such

CLAUSE B.
 Interpretation Clause.

Tenement for his own Use, or receiving the same for the Use of any Corporation aggregate, or of any public Company, or of any Landlord or Lessor who shall be a Minor, under Coverture, or insane, or for the Use of any Person who shall not be usually resident within Twenty Miles from the Parish in which such Tenement shall be 5 situated; the Word "Person" shall be construed to include any Corporation or public Company as well as any Individual; the Word "Parish" shall be construed to include any Parish, Township, Vill, or Place maintaining its own Poor separately; the Word "Vestry" shall be construed to include any Meeting of the Inhabitants of any 10 such Parish, Township, Vill, or Place, to be held after due Notice for carrying into execution the Laws for the Relief of the Poor; and wherever in this Act, in describing any Person, Matter, or Thing, the Word importing the Singular Number or the Masculine Gender only is used, the same shall be understood to include and be applied to 15 several Persons as well as one Person, and Females as well as Males, and several Matters or Things as well as one Matter or Thing respectively; unless there be something in the Subject or Context repugnant to such Construction.

Extension
of Act.

IX. And be it enacted, That this Act shall extend only to Eng- 20
land and Wales, and shall not apply to any Place where Owners are
made liable to be rated to the Relief of the Poor under the Provisions
of any local Act.

Act may be
amended,&c.

X. And be it enacted, That this Act may be amended or repealed
by any Act to be passed in this present Session of Parliament. 25

Small Tenements Rating.

A

B I L L

[AS AMENDED BY THE COMMITTEE, ON RE-COMMITMENT, AND ON CONSIDERATION OF AMENDMENTS]

For the better assessing and collecting the Poor Rates and Highway Rates in respect of Small Tenements.

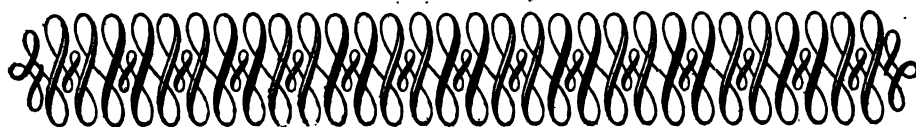
(*Prepared and brought in by
Mr. Halsey and Sir Henry Meux.*)

*Ordered, by The House of Commons, to be Printed,
25 April 1850.*

272.

Under 1 oz.

1 July 1850. 13 & 14 Vict.



(Ireland.)

A

B I L L

INTITULED

**An Act to facilitate the Recovery of Possession
of Small Tenements in Ireland, not being in any
County of a City, County of a Town, Borough,
or Market Town.**

WHEREAS it is but just and reasonable that where the Preamble.
Power to enforce the Payment of Rents by Arrest of the
Person is taken away greater Facility should be given for
the Recovery of Possession of the Premises in respect of which such
5 Rents are payable: And whereas by an Act passed in the Session of
Parliament held in the Eleventh and Twelfth Years of the Reign of
Her present Majesty, intituled "An Act to amend the Law of 11 & 12 Vict.
" Imprisonment for Debt in Ireland, and to improve the Remedies c. 28.
" for the Recovery of Debts and of the Possession of Tenements
10 " situate in Cities and Towns, in certain Cases," the Power of
enforcing the Payment of any Sum not exceeding Ten Pounds, due
for the Rent of Premises in any Part of Ireland, by Arrest of the
Person, was taken away: And whereas by the same Act Provision
was made for the more easy Recovery of the Possession of Small
15 Tenements in Ireland, but such Provision is restricted to Small
Tenements situate in any County of a City, County of a Town,
Borough, or Market Town in Ireland, held for any Term not exceed-
ing

Possession of
Small Tene-
ments in the
Country may
be recovered
by Summons
before
Justices of
the Peace.

ing One Calendar Month, at a Rent not exceeding the Rate of One Pound Sterling by the Month; and it is expedient that the said Provision should be extended to Small Tenements situate elsewhere in Ireland: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, 5 by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That when and so soon as the Term or Interest of any Person or Persons who shall hereafter become the Tenant or Tenants for any Term not exceeding One Calendar 10 Month of any House situate in any Part of Ireland, (other than any County of a City, or County of a Town, or Borough, or Market Town,) and which House shall be rated for the Relief of the Poor at any annual Sum not exceeding Four Pounds, or of any Part of any such House, shall have expired, or shall have been duly determined 15 by a legal Notice to quit, and such Tenant or Tenants, or (if such Tenant or Tenants do not actually occupy the Premises, or only occupy a Part thereof,) any Person or Persons by whom the same or any Part thereof shall be then actually occupied, shall neglect or refuse to quit and deliver up Possession of the Premises or such 20 Part thereof respectively, it shall be lawful for the Landlord of the said Premises, or his known Agent or Receiver of Rents, to cause the Person or Persons so neglecting or refusing to quit and deliver up Possession to be served with a Summons in Writing, to be signed by a Justice of the Peace of or having Jurisdiction in the District, 25 Division, or Place in which the same Premises shall be situate, to appear before any Two or more Justices at any Court of Petty Sessions, Divisional Justice Room, or other Room or Office in which Justices of the Peace shall then usually meet for the Despatch of the public Business of such District, Division, or Place, to show 30 cause why Possession of the said Premises should not be delivered up to such Landlord or his said Agent or Receiver as aforesaid; and if the Person or Persons so summoned shall not appear, or, having appeared, shall not show to the Satisfaction of such Justices reasonable Cause why Possession should not be given, and shall still neglect 35 or refuse to deliver up the Possession of the said Premises to the said Landlord or his said Agent or Receiver, then, upon Proof given by such Landlord or his Agent or Receiver to the said Justices of the Creation of the Tenancy, and of the Expiration or Determination thereof, with the Time and Manner thereof, and (where 40 the Title of the Landlord hath accrued since the letting of the Premises) of the Right by which he claims such Possession, it shall be lawful for such Justices or any Two of them to issue a Warrant under their Hands and Seals to any Constable of or acting in the District, Division, or Place within which such Premises shall be situate, 45 requiring

requiring and authorizing him, within a Period to be therein named, being not less than Seven or more than Fourteen Days from the Date of such Warrant, to give Possession of the Premises to such Landlord, Agent, or Receiver, and such Warrant shall be a sufficient
5 Warrant to the said Constable to enter upon the Premises, with such Assistants as he shall deem necessary, and to give Possession accordingly: Provided always, that no such Entry shall be made upon a Sunday, Good Friday, or Christmas Day, or before the Hour of Nine o'Clock in the Morning or after the Hour of Four o'Clock in
10 the Afternoon of any Day: Provided also, that nothing herein contained shall be deemed to protect any Person by whom any such Warrant shall be sued out as aforesaid from any Action which may be brought against him by any such Tenant or Tenants, Occupier or Occupiers, for or in respect of such Entry and taking
15 possession, where such Person had not at the Time of suing out the same as aforesaid lawful Right to the Possession of the said Premises.

II. And be it enacted, That on Application of the Tenant the Justices shall direct a Valuation to be made by Valuers, one to be named by the Lessor and the other by the Tenant, of any Crop
20 growing on the Land, and the Justices, after deducting for all outstanding Arrears of Rent and Costs, shall order the Amount of such Valuation to be paid by the Lessor to the Tenant.

On Application of Tenant, Justices may order Valuation of Crop for Amount to be paid to Tenant.

III. Provided also, and be it enacted, That nothing in this Act contained shall extend to any Tenant not holding under an Agree-
25 ment in Writing, and who, together with the House or Part of a House held by him, shall also hold of the same Landlord, and for the same Term or Interest, any Land exceeding in Extent One Quarter of a Statute Acre.

Act not to extend to Tenants holding more than a Quarter of a Statute Acre.

IV. And be it enacted, That this Act may be amended or
30 repealed by any Act to be passed in this Session of Parliament.

Act may be amended, &c.

Small Tenements Recovery.

(Ireland.)

A

BILL

INTITLED

An Act to facilitate the Recovery of Possession of Small Tenements in Ireland, not being in any County of a City, County of a Town, Borough, or Market Town.

(Brought from the Lords 1 July 1850.)

*Ordered, by The House of Commons, to be Printed,
1 July 1850.*

492.

Under 1 oz.

Smoke Prohibition Bill.

ARRANGEMENT OF CLAUSES.

Penalty for suffering Smoke to escape ; Sect. 1.
Interpretation Clause ; 2.
Limitation Clause ; 3.
Complaint to Justice, and Summons thereupon ; 4.
Service of Summons ; 5.
Attendance of Witnesses ; 6.
False Evidence ; 7.
Proof of Offence ; 8.
Recovery of Penalties ; 9.
Offenders to be committed, in case Distress insufficient ; 10.
Recovery from other Persons by Party convicted ; 11.
Nuisances at Common Law not affected ; 12.
Form of Conviction ; 13.
Appeal ; 14.
Limitation of Actions ; 15.
Amendment of Act ; 16.
SCHEDULE.

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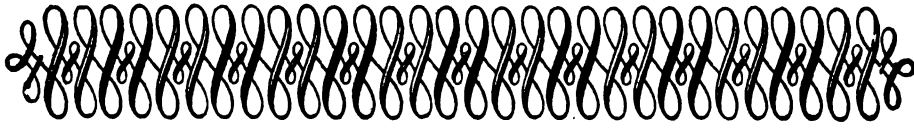
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THE UNIVERSITY OF CHICAGO

26 April 1850. 13 VICT.



A

B I L L

INTITULED

An Act to abate the Nuisance of Smoke from certain Furnaces and Chimneys.

WHEREAS it is expedient to prevent the Injury to the Health and Comfort of the People which is occasioned by the Smoke issuing from certain Furnaces and Chimneys: Be it therefore enacted by the Queen's most Excellent Majesty, by
5 and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the First Day of January One thousand eight hundred and fifty-one, if Smoke shall
10 issue from the Chimney of any Furnace herein-after described, except when the Fire of the said Furnace shall be kindled, and for any
longer Time than is bonâ fide necessary for kindling the Fire of such Furnace, such Time in no Case to exceed Twenty-five Minutes, the Occupier of the said Furnace shall be guilty of an Offence against this Act, and shall for every such Offence forfeit and pay any Sum
15 not exceeding Five Pounds.

Penalty for
suffering
Smoke to
escape.

II. And in order to avoid frequent Use of divers Terms and Expressions, and in order to guard against the Misconstruction of the Terms and Expressions used in this Act; Be it enacted, That whenever in this Act, with reference to any Person, Matter, or Thing,

Construction
of Terms.

278.

A

any

any Word or Words is or are used importing the Singular Number or the Masculine Gender only, such Word or Words shall be understood to include several Persons as well as One Person, Females as well as Males, and several Matters or Things as well as one Matter or Thing; that throughout this Act the Word "Furnace" shall mean 5 such Furnaces only as are used for the heating of stationary Steam Engine Boilers; and the Word "kindle" shall mean the first lighting of any Fire or the re-lighting of any Fire after the same shall have been at any Time altogether extinguished; and the Words "Parish or Place" shall mean any District separately rated for the Main- 10 tenance of the Poor within the same; and the Word "Occupier" shall mean the Person or any of several Persons in the actual Possession of any such Furnace, either as Owner or Owners or as Tenant or Tenants or any Person having the joint or separate Use thereof; unless with respect to any such Expressions it shall be otherwise 15 specially provided, or there be something in the Subject or Context repugnant to such Construction.

Limitation
of Act.

III. And be it enacted, That this Act shall only be held to extend and to take effect in any Parish or Place which shall have contained Three thousand Inhabitants, or in which there shall have been One 20 Inhabitant for every Acre of Land within the same, at the Time of the general Census which shall have been from Time to Time last taken and published.

Complaint
may be made.

IV. And be it enacted, That upon Complaint made to any Justice of the Peace of any Offence having been committed against this Act 25 within the Jurisdiction of such Justice, such Justice shall summon the Person against whom such Complaint shall be made to answer the said Complaint; and if such Person shall not appear according to the Tenor of such Summons, and no sufficient Cause shall be shown for the Nonappearance of such Person, the Justice before 30 whom such Person shall have been summoned to appear shall and may, upon Proof of the Service of such Summons, hear and determine the said Complaint in the Absence of the said Person: Provided always, that every Complaint under this Act shall be made within One Week next after the Cause of such Complaint shall have arisen, 35 and not otherwise.

What shall
be deemed
sufficient
Service.

V. And be it enacted, That every such Summons may be served by delivering a Copy thereof to the Person complained against, or by leaving a Copy thereof at his usual Place of Abode or Business, or at the Premises in which the Furnace is situated in respect of which 40 the Offence complained of is alleged to have been committed.

VI. And

VI. And be it enacted, That any Justice of the Peace to whom any such Complaint shall be made may summon any Witness to appear and give Evidence upon the Hearing of the said Complaint, and by Warrant under his Hand and Seal may require any Person to be
 5 brought before him who shall neglect or refuse to appear to give Evidence at the Time and Place mentioned in such Summons, Proof upon Oath being first given of personal Service of the Summons upon the Person against whom such Warrant shall be granted; and it shall be lawful for any such Justice to commit any Person coming or
 10 brought before him, who shall refuse to give Evidence, to the Common Gaol or House of Correction for the County, Riding, Division, City, Borough, or Place for which such Justice shall then act, there to remain without Bail or Mainprize, for any Time not exceeding Fourteen Days, or until such Person shall sooner submit
 15 himself to be examined; and in case of such Submission the Order of any such Justice shall be a sufficient Warrant for the Discharge of such Person.

To compel
the Attend-
ance of
Witnesses.

VII. And be it enacted, That if any Person, whether Party or Witness, shall, whilst giving Evidence on his Oath or Affirmation in
 20 the Course of any Proceeding before any Justice of the Peace under this Act, wilfully give false Evidence touching the Matter of such Proceeding he shall be deemed to be guilty of wilful and corrupt Perjury, and, on Conviction thereof, be liable to such Punishment as may by Law be inflicted on Persons guilty of wilful and corrupt
 25 Perjury.

Penalty for
giving false
Evidence.

VIII. And be it enacted, That if on the Hearing of any Complaint under the Provisions of this Act, it be proved that Smoke was
 seen to issue from the Chimney mentioned or described in the said Summons contrary to the Provisions of this Act, the Party com-
 30 plained of shall be deemed guilty of an Offence against this Act, unless he shall show that such issuing of Smoke did not constitute an Offence against the same, and that his Furnace is constructed on some approved Plan for the Consumption of the Smoke issuing from the same: Provided always, that in the Case of Furnaces connected
 35 with the Manufacture of Iron and Copper, and with Coal Works and Distilleries, the issuing of Smoke for a longer Time than is limited by this Act shall not be held to constitute an Offence against the same, if the Occupier of such Furnace shall prove that the entire Consumption of all the Smoke issuing from the same is impossible,
 40 either from the Nature of the Coal used by him in such Furnace, or from some Practice necessarily connected with his Manufacture, or in consequence of his Furnace being employed in some Manufacture under the Survey of Her Majesty's Excise, and that he has adopted
 278. and.

Proof of Of-
fence against
this Act.

and carefully used some well-approved Method for the Consumption of the Smoke issuing from such Furnace, and endeavoured to the best of his Power to abate the Nuisance arising from the same.

Recovery of Penalties.

IX. And be it enacted, That all Penalties by this Act imposed shall be recovered before any Two or more Justices of the Peace for 5 and acting within the Jurisdiction wherein any such Offence shall have been committed, or shall be charged or shall appear to have been committed, either by Confession of the Party or Parties offending, or by the Evidence of One or more Witness or Witnesses upon Oath or Affirmation (which Oath or Affirmation such Justices of the 10 Peace are hereby required to administer); and the Person or Persons making any such Complaint is and are hereby declared to be, and is and are hereby rendered, in any and every such Case a competent Witness or competent Witnesses.

If no sufficient Distress Offenders to be committed.

X. And be it enacted, That where any Distress is directed to be 15 made, levied, or taken by this Act, and sufficient Effects to answer the said Distress shall not be found, and the Penalties, Costs, Charges, and Expenses attending the same shall not be forthwith paid, it shall and may be lawful for such Justices of the Peace, and they are hereby authorized and required, by Warrant or Warrants under their Hands 20 and Seals, to cause the Offender or Offenders to be committed to the Common Gaol or House of Correction of the County, Riding, Division, City, Borough, or Place aforesaid, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months, unless such Penalties, and all such Costs, Charges, and Expenses 25 shall be sooner paid and satisfied; and all such Penalties, if not forthwith paid, shall and may be levied by Distress and Sale of the Goods and Chattels of the Person or Persons offending, by Warrant or Warrants under the Hands and Seals of such Justices, which Warrant or Warrants such Justices are hereby empowered and required to 30 grant; and the said Penalties, when received or recovered, (rendering the Overplus, if any there be, after deducting all the Costs, Charges, and Expenses of any Summonses, Complaints, Hearings, Warrants, and of such Distress, and the Keeping, Appraisement, or Sale thereof, or otherwise relating thereto, unto the Person or Persons whose 35 Goods and Chattels shall be so distrained and sold,) shall be paid, under the Direction of such Justices, in aid of the Rates raised for the Relief of the Poor in the Parish or Place where the Offence shall have been adjudged to have been committed.

Party convicted may recover of any other Person.

XI. And be it enacted, That if any Occupier as aforesaid, upon 40 being convicted of any Offence against this Act, shall pay the Penalty and Costs which may be awarded against him, and shall charge that the

the said Offence was committed through the Negligence or wilful Misconduct of any other Person, it shall be lawful for any Justice of the Peace for the County, Riding, Division, City, or Place where the said Offence is alleged to have been committed to summon such
 5 other Person before Two or more such Justices to answer the said Charge; and if the said Occupier shall satisfactorily prove that the said Offence was wholly or in part caused by the Negligence or wilful Misconduct of such other Person, the Justices by and before whom the said Charge is heard and determined shall order the whole
 10 or such Part as they shall think fit of the Penalty and Costs which have been adjudged to be paid by the said Occupier to be reimbursed to him by such other Person, and the Money so ordered to be reimbursed shall be recovered in like Manner as Penalties under this Act may be recovered: Provided always, that if at the Time of any
 15 such Order being made as is last mentioned such other Person be in the Receipt of or entitled to receive any Wages from such Occupier, or any Copartnership of which such Occupier is a Member, it shall be lawful for the said last-mentioned Justices to authorize such Occupier to deduct the Money so ordered to be reimbursed to him as aforesaid
 20 out of the Wages then or thereafter to become due from him or his Copartnership to such other Person, either in One Sum or by such Instalments as the said Justices shall think fit.

XII. And be it enacted, That nothing in this Act contained shall be construed to render lawful any Act or Omission on the Part of
 25 any Person which is, or but for this Act would be deemed and adjudged to be, a Nuisance at Common Law, nor to exempt any Person guilty of a Nuisance at Common Law from Prosecution or Action in respect thereof according to the Forms of Proceeding at Common Law, nor from the Common Law Consequences upon a Conviction
 30 thereof: Provided always, that if any Person convicted of an Offence under this Act shall have paid the whole Amount adjudged to be paid under such Conviction, and the Costs thereof, in every such Case he shall be released from all further or other Proceedings, civil or criminal, for the same Offence.

Act not
to affect
Nuisances
at Common
Law.

XIII. And be it enacted, That any Justices of the Peace by or before whom any Person shall be convicted of an Offence against this Act shall and may cause the Conviction of such Person to be drawn up according to the Form given in the Schedule to this Act; and no Conviction or other Proceeding before or by any Justices of the Peace,
 40 or any Order, Determination, or other Proceeding under or in pursuance of this Act, shall be adjudged to be void or insufficient for Want of Form, nor shall any such Conviction, Order, or other Proceeding be removed by Certiorari into Her Majesty's Court of Queen's Bench,
 278. B unless

Form of
Conviction.

unless upon Appeal to any Court of Quarter Sessions such Court shall be desirous of obtaining the Opinion of Her Majesty's said Court upon a special Case, to be stated by the said Court of Quarter Sessions, which special Case may then be lawfully removed into Her Majesty's said Court.

5

Appeal may
be made to
the Quarter
Sessions.

XIV. And be it enacted, That any Person who shall think himself aggrieved by any Conviction or Order of any Justice or Justices made in pursuance of this Act may, whenever the Penalty imposed shall exceed the Sum of Two Pounds, appeal to the next General or Quarter Sessions of the Peace holden for the County, Riding, Division, City, Borough, or Place wherein the Cause of Complaint shall have arisen, unless such Sessions shall be holden within Ten Days next after such Conviction or Order, and in that Case to the next subsequent Sessions holden as aforesaid, and not afterwards, such Person giving to the said Justice or Justices Notice in Writing of his Intention to appeal, and of the Cause or Matter thereof, within Four Days next after such Conviction or Order, and Five Days at the least before such Sessions, and within such Four Days entering into a Recognizance with Two sufficient Sureties, before a Justice of and acting in and for such County, Riding, Division, City, Borough, or Place as aforesaid, conditioned to appear at such Sessions, and to try such Appeal, and to abide the Judgment of the Court thereupon, and to pay such Costs as shall be by the Court awarded; and the Court at such Sessions shall hear and determine the Matter of such Appeal, and shall make such Order therein, with or without Costs, as to the said Court shall seem meet; and the Judgment of the said Court shall be final and conclusive to all Intents and Purposes; provided nevertheless, that if any Person shall be convicted of an Offence against this Act, and shall, when so convicted, charge that the Offence has been committed through the Negligence or Misconduct of any other Person, it shall not be lawful for such Person so convicted to appeal against the said Conviction, but it shall be lawful for the Person so convicted, or the said other Person respectively, to appeal in manner herein-before mentioned, against any Order of Justices which may be made upon or in respect of such other Person, or against the Refusal of the said Justices to make such an Order, as the Case may be.

Limitation
of Actions.

XV. And be it enacted, That no Action or Suit shall be commenced against any Person or Persons for any Matter or Thing done in execution or pursuance of this Act until after Twenty-one Days Notice in Writing, signed by the Person or Persons intending to bring such Action or Suit, shall be thereof given to the Person or Persons against whom such Action or Suit is intended to be brought,
nor

nor after sufficient Satisfaction shall be made or tendered, nor after Two Calendar Months next after the Fact has been committed for which such Action or Suit shall be so brought; and in all such Actions or Suits the Defendant or Defendants may plead the General
5 Issue, and give this Act and the special Matter in Evidence at any Trial or Trials which shall be had thereupon, and that the Matter or Thing done for or on which such Action or Suit shall be brought was done in pursuance and by the Authority of this Act; and if the said Matter or Thing shall appear to have been so done, or if it shall
10 appear that such Action or Suit was brought before Twenty-one Days Notice was given as before directed, or that sufficient Satisfaction was made or tendered or paid into Court, or if any such Action or Suit shall not be commenced within the Time for that Purpose herein-before limited, then the Jury shall find for the Defen-
15 dant or Defendants therein; and if in any such Action or Suit a Verdict shall be found for the Defendant or Defendants, or if the Plaintiff or Plaintiffs shall become nonsuited, or suffer a Discontinuance of such Action or Suit, or if upon a Demurrer or Demurrers, or upon a Verdict or otherwise, Judgment shall be given for the
20 Defendant or Defendants therein, then and in either of the Cases aforesaid such Defendant or Defendants shall have his or their Costs, and shall have such Remedies for recovering the same as any Defendant may have for the Recovery of Costs in other Cases by Law.

XVI. And be it enacted, That this Act may be amended or
25 repealed during the present Session of Parliament. Act may be amended,&c.

SCHEDULE to which the foregoing Act refers.

Form of Conviction.

to wit. } BE it remembered, That on the Day of
 } in the Year of our Lord C.D. is convicted
 before us, Two [*or more*] of Her Majesty's Justices of the Peace for
 the County [Riding, Division, City, Borough, *or* Place] of
 in pursuance of a certain Statute passed in the Year of
 the Reign of Queen Victoria, intituled "An Act to abate the
 " Nuisance of Smoke from certain Furnaces and Chimneys," for that
 he the said C.D. was, on the Day of last, the
 Occupier of a certain Furnace situate [*here describe the Place where*
the Furnace is] in the Parish of in the County [Riding,
 Division, City, Borough, *or* Place] aforesaid; and that between the
 Hours of and in the Morning
 [*or Night, as the Case may be,*] of the said
 Day of last, Smoke did issue from
 a certain Chimney connected with the said Furnace for a longer Time
 than was bonâ fide necessary for kindling the Fire of the said Furnace,
 whereby, and by force of the said Statute, the said C.D. hath been
 guilty of an Offence against the said Statute; and we do hereby
 adjudge that the said C.D. shall forfeit and pay for his said Offence
 the Sum of together with the Sum of for
 the Costs attending the said Conviction.

Given under our Hands and Seals at
 Year first aforesaid.

the Day and

Smoke Prohibition.

A

B I L L

INTITLED

An Act to abate the Nuisance of Smoke
from certain Furnaces and Chimneys.

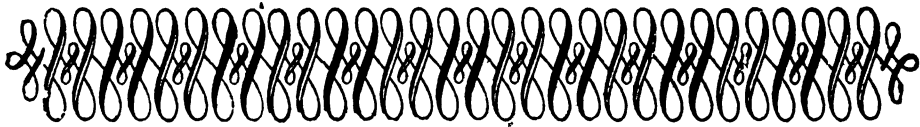
(*Brought from the Lords, 25 April 1850.*)

*Ordered, by The House of Commons, to be Printed,
26 April 1850.*

278.

Under 2 oz.

1 August 1850. 13 & 14 VICT.



A

B I L L

TO

Enlarge and extend the Powers of an Act of the
Ninth and Tenth Years of Her present Majesty,
intituled “An Act to enable the Commissioners
“ of Her Majesty’s Woods to construct a new
“ Street from Spitalfields to Shoreditch.”

[Note.—The Words printed in *Italics* are proposed to be inserted
in the Committee.

WHEREAS by an Act passed in the Session of Parliament Preamble.
held in the Eighth and Ninth Years of Her Majesty’s
Reign, intituled “An Act to continue until the Fifth Day 8 & 9 Vict.
“ of July One thousand eight hundred and sixty-two the Acts for re- c. 101.
5 “ gulating the Vend and Delivery of Coals in London and Westminster
“ and in certain Parts of the adjacent Counties, and to alter and amend
“ the said Acts,” it was among other things enacted, that in order to
provide a Fund for the opening of poor and densely populated Districts
in the Metropolis, and for keeping open Spaces in the immediate Vici-
10 nity of the same, the Duty of One Penny per Ton on Coals, Culm, and
Cinders brought near London by the Grand Junction or Paddington
Canals or by the River Thames imposed by an Act of the First and Se-
cond Years of King William the Fourth, and by the Act now in recital
and other Acts extended to Coals, Culm, and Cinders brought near
661. A London

London by Railway, Inland Navigation, or other Mode of Convey-
 ance, should after the Thirty-first Day of December One thousand
 eight hundred and forty-five be applied to the Creation of a Fund
 for the Execution of such Improvements in the Metropolis as Par-
 liament might thereafter direct or sanction; and it was also enacted, 5
 that after the said Thirty-first Day of December One thousand
 eight hundred and forty-five the said Duty of One Penny per Ton
 on Coals, Culm, and Cinders so imposed and extended as afore-
 said should, from Time to Time, when and as received, be invested
 in the Purchase of Stock in some of the Public Stocks or Funds, or 10
 upon Government or Real Securities, at Interest, in the Names of
 the Commissioners for the Time being of Her Majesty's Woods
 Forests, Land Revenues, Works, and Buildings, to an Account to be
 intituled "The Metropolis Improvement Fund Account," and that
 the said Commissioners should from Time to Time invest the yearly 15
 Dividends or Interest of the Stocks, Funds, and Securities so to be
 purchased in their Names on the Account aforesaid in like Manner
 for the Purpose of Accumulation in the meantime, and until the said
 Fund should be required for and appropriated by Parliament to the
 Execution of Improvements in the Metropolis: And whereas by an- 20
 other Act passed in the Session of Parliament held in the Ninth and
 Tenth Years of Her Majesty's Reign, intituled "An Act to enable the
 "Commissioners of Her Majesty's Woods to construct a new Street
 "from Spitalfields to Shoreditch," after reciting, among other things,
 that in pursuance of the said herein-before in part recited Act the 25
 Monies received from the Thirty-first Day of December One thousand
 eight hundred and forty-five to the Twenty-fifth Day of March One
 thousand eight hundred and forty-six, in respect of the said Duty of
 One Penny per Ton on Coals, Cinders, and Culm so created, imposed,
 and extended as aforesaid, had been laid out and vested in the Names 30
 of the said Commissioners in the Purchase of Three thousand and
 thirty-one Pounds Seven Shillings and Eight-pence Three Pounds per
 Cent. Consolidated Bank Annuities, and such Annuities were then
 standing in the Names of the said Commissioners on the Account
 directed by the said Act, and reciting, that by an Act passed in the 35
 Session held in the Third and Fourth Years of Her Majesty's Reign,
 intituled "An Act to enable Her Majesty's Commissioners of Woods,
 "Forests, Land Revenues, Works, and Buildings to make additional
 "Thoroughfares in the Metropolis," the said Commissioners were
 empowered, out of certain Monies and Funds therein specified, to form 40
 several new Streets and Improvements therein particularly mentioned,
 and, among others, a new Street from the London Docks to Spital-
 fields Church, and reciting that the Commissioners appointed by
 Her Majesty to inquire into and consider the most effectual Means
 of improving the Metropolis, and of providing increased Facilities of 45
 Commu-

9 & 10 Vict.
c. 34.

3 & 4 Vict.
c. 87.

Communication within the same, had by their Report, dated the Twenty-third Day of April One thousand eight hundred and forty-five, (which had been laid before both Houses of Parliament by Her Majesty's Command,) humbly recommended to Her Majesty
5 that, out of any Monies to be thereafter raised as a Fund for Metropolitan Improvements, Provision should be made for the Completion of a Line of Street from Spitalfields Church to the Station of the Eastern Counties Railway in Shoreditch, in continuation of the new Street and Improvement then in progress of Formation by
10 the said Commissioners of Her Majesty's Woods under the Authority of the Act last therein-before recited, and that Her Majesty had been pleased to approve of the Recommendation of the said Commissioners, and that it was expedient in accordance therewith that the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings should be empowered to form and open
15 (in continuation of the Street from the London Docks to Spitalfields Church therein-before mentioned) a new Street and Thoroughfare from the North End of Commercial Street, Spitalfields, into Shoreditch, adjoining the Terminus of the Northern and Eastern
20 Counties Railway, and for the Purpose of providing a Fund to enable the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings to effect the Objects aforesaid it was expedient that the said Commissioners should be authorized to raise out of or to charge the said Funds and Duties by
25 the said recited Act of the Eighth and Ninth Years of Her Majesty's Reign made applicable to the Improvement of the Metropolis as herein-before is mentioned with a Sum or Sums not exceeding in the whole the Sum of One hundred and twenty thousand Pounds, it was by the said Act now in recital enacted, that it should be lawful for
30 the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings for the Time being, and they were thereby authorized and empowered, to make, form, and complete the said intended new Street from the North End of Commercial Street, Spitalfields, into Shoreditch, and to carry the Purposes of the said Act into
35 execution in manner therein-after mentioned, and according to a Plan which had been submitted to and approved by the Commissioners of Her Majesty's Treasury, and the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings were thereby incorporated for the Purposes of the said Act; and it was enacted,
40 that for providing a Fund for the Purposes of the said Act it should be lawful for the said Commissioners, with the Consent and Approbation of the Lord High Treasurer or of the Commissioners for executing the Office of Lord High Treasurer, from Time to Time or at any One Time, to levy and raise by the Sale of the whole or any Portion of the
45 Stocks, Funds, and Securities from Time to Time constituting the said Fund

661.

Fund called "The Metropolis Improvement Fund," so created or appropriated by the said Act of the Eighth and Ninth Years of Her present Majesty as aforesaid, or by Charge upon all and singular the Duties and Revenue in and by the same Act made applicable to the Formation of such Fund, any Sum or Sums of Money not exceeding 5 in the whole the Sum of One hundred and twenty thousand Pounds, together with Interest on the Sum or Sums to be charged from the Time of charging the same not exceeding Five Pounds per Cent. per Annum; and it was enacted, that the Duties and Revenue so to be charged as aforesaid should be paid and applied in satisfaction and 10 discharge of all Monies to be charged thereon by the said Commissioners as aforesaid, and the Interest thereof, in such Manner and from Time to Time as the same should be received and as the said Commissioners should direct; and it was further enacted, that for the Purposes of the said Act it should be lawful for the said Commissioners, with 15 such Consent and Approbation as aforesaid, to borrow and raise any Sum or Sums of Money not exceeding in the whole the Sum of One hundred and twenty thousand Pounds upon the Credit of the said Monies and Interest so made chargeable as aforesaid, and thereupon to assign and dispose of such Monies and Interest in such Shares, and by 20 way of Debenture or otherwise, and with such Priorities, and in such Manner, as the same Commissioners should think fit as a Security for the Monies so to be borrowed; and it was further enacted, that for the Purpose of laying down and constructing the said intended new Street the said Commissioners for executing the Act now in recital 25 should have the same Powers, Authorities, Privileges, and Exemptions as in and by the said Act of the Third and Fourth Years of Her present Majesty were given to the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, for the Purpose of or with reference to the laying down and constructing the 30 several new Streets and Improvements therein specified, so far as the same should be applicable to the said intended new Street, and also that all Powers authorizing incapacitated Persons to convey in the said Act contained should extend to all the Lands and Hereditaments to be taken under the Act now in recital, and that all and 35 singular the Enactments, Exemptions from Stamp Duties, and Provisions in the said before-mentioned Act contained should be construed in all respects as if the said Act had been passed for the Purpose of authorizing the laying down and Construction of the new Street by the Act now in recital authorized to be laid down and constructed, 40 and for the Purchase and taking of Hereditaments, and for the leasing, selling, managing, and disposing of the Hereditaments to be taken, and the Buildings to be erected thereon, and as if the Hereditaments comprised in the Schedule to the Act now in recital had been comprised in the Schedule to the said Act of the Third and Fourth Years 45 of

of Her present Majesty, and as if the Monies authorized to be raised by the Act now in recital had been authorized to be raised by the said last before-mentioned Act, and as if the said Street by the Act now in recital authorized to be made had been by the said before-
5 mentioned Act authorized to be made, except that with respect to any Monies payable into the Bank of England the same should be paid to the Account of the Accountant General of the Court of Chancery, in like Manner as Monies were by the said Act of the Third and Fourth Years of Her present Majesty directed to be
10 paid to the Account of the Accountant General of the Court of Exchequer: And whereas the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, so incorporated as aforesaid, have proceeded to carry the said Act into execution, and for the Purposes thereof have raised, partly by
15 Sale of Stock invested in their Names on the said Metropolis Improvement Fund Account, and partly by Mortgage of the Duties and Revenue made applicable to the Formation of such Fund, divers Sums of Money amounting in the whole to the full Sum of One hundred and twenty thousand Pounds, which by the said last-
20 recited Act they were empowered to raise as aforesaid, and they have expended the greater Part of the Monies so raised by them as aforesaid in the Purchase of Houses, Lands, and Hereditaments required for the said intended new Street, and otherwise in carrying the said Act into execution: And whereas the Monies remaining unexpended in
25 the Hands of the said Commissioners will not suffice to purchase the Houses, Lands, and Hereditaments yet remaining to be purchased for the Formation of the said intended new Street, and to construct, open, and complete the same; and although it is estimated that the ultimate net Cost of the said new Street and Improvement will not exceed the
30 before-mentioned Sum of One hundred and twenty thousand Pounds by the said last-recited Act appropriated to the Formation thereof, additional Sums of Money will be required to cover the first Outlay which must be incurred in acquiring and clearing the Ground required for the said Street, and in forming and paving the same, and construct-
35 ing Sewers and Drains in and over the same; and it is expedient that the said Commissioners should be empowered to raise such additional Sums of Money by Sale of a further Portion of the Stock now constituting the said Metropolis Improvement Fund, or by further Charge upon the said Duties or Revenue by the said recited Act of the Eighth
40 and Ninth Years of Her present Majesty made applicable to the Improvement of the Metropolis as aforesaid: And whereas by the said 3 & 4 Vict. c. 87. Act of the Third and Fourth Years of Her Majesty's Reign, recited or referred to in the said Act of the Ninth and Tenth Years of Her Majesty's Reign last herein-before recited, it was among other things
45 enacted, that if the said Commissioners of Her Majesty's Woods,
661. B Forests,

Commission-
ers of Woods
empowered
to raise fur-
ther Sums of
Money by
Sale of or
Charge upon
the Metro-
polis Im-
provement
Fund.

Forests, Land Revenues, Works, and Buildings should not, within the Space of Seven Years to be computed from the passing of the same Act, purchase or take the Tenements and Hereditaments, or Parts thereof respectively, which they were empowered by the said Act to take, use, and purchase, then and from thenceforth the Powers thereby granted to them for such Purpose should cease, determine, and be utterly void ; and Doubts have been entertained whether, by reason of the Powers, Provisions, and Enactments of the said last-mentioned Act having been extended or transferred to the said Act of the Ninth and Tenth Years of Her Majesty's Reign, in manner herein-before recited, 10 the Time for Purchase of Tenements and Hereditaments required for the Purposes of the said Act of the Ninth and Tenth Years of Her Majesty's Reign has not been limited to the Space of Seven Years to be computed from the passing of the said Act of the Third and Fourth Years of Her Majesty's Reign ; and it is expedient that 15 such Doubts should be removed: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That for the 20 Purpose of providing Monies for the Completion of the new Street and Improvement from the North End of Commercial Street, Spitalfields, to Shoreditch, by the said recited Act of the Ninth and Tenth Years of Her Majesty's Reign authorized to be made, formed, and completed by them, it shall and may be lawful for the Commissioners 25 of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, so incorporated as aforesaid, and their Successors, with the Consent and Approbation of the Lord High Treasurer or of the Commissioners for executing the Office of Lord High Treasurer, from Time to Time, or at any one Time, to levy and raise, by the Sale of the 30 whole or any Portion of the Stocks, Funds, or Securities from Time to Time constituting the said Fund called " The Metropolis Improvement Fund," so created or appropriated by the said recited Act of the Eighth and Ninth Years of Her Majesty's Reign as aforesaid, or by Charge upon the said Metropolis Improvement Fund, 35 or any Part thereof, or upon the Interest, Dividends, and annual Proceeds of the said Fund or any Part thereof, or by Charge upon all or any Part of the Duties and Revenue in and by the same Act made applicable to the Formation of such Fund, or by all or any of the Ways and Means aforesaid, such further Sum and Sums of 40 Money as the said Commissioners and their Successors, with such Consent and Approbation as aforesaid, shall judge necessary for completing the said intended new Street and Improvement herein-before mentioned, and for carrying into execution the Purposes of the said Act of the Ninth and Tenth Years of Her Majesty's Reign, together 45 with

with Interest on the Sum or Sums, to be charged from the Time of charging the same, not exceeding the Rate of *Five Pounds* per Cent. per Annum.

II. And be it enacted, That, subject to any prior existing Charges Fund to be applied in satisfaction of Charges, subject to prior Charges.
 5 thereon, the said Fund and the Income thereof, and the said Duties and Revenue, or such Portion or Portions thereof respectively as shall be so charged as aforesaid, shall be paid and applied in the Satisfaction and Discharge of all such further Sum and Sums of Money as shall be charged thereon respectively by the said Commissioners and
 10 their Successors under the Authority of this Act as aforesaid, and the Interest thereof, in such Manner as the said Commissioners or their Successors shall from Time to Time direct.

III. And be it enacted, That it shall be lawful for the said Commissioners and their Successors, with the Consent and Approbation Commissioners of Woods may borrow Monies on the Credit of the Fund authorized to be charged.
 15 of the Lord High Treasurer or the Commissioners for executing the Office of Lord High Treasurer for the Time being, to borrow and raise any Sum or Sums of Money which they may be able to borrow and raise upon the Credit of the said Metropolis Improvement Fund and the Income thereof, and the said Duties and Revenue so authorized to be charged as aforesaid, and thereupon to assign and dispose
 20 of such Fund, Income, Duties, and Revenue, or any Portion thereof, (subject to any prior existing Charges thereon,) in such Shares, and by way of Debenture or otherwise, and with such Priorities and in such Manner, as the same Commissioners shall think fit, as a Security
 25 for the Monies so to be borrowed.

IV. And be it enacted, That the Sum and Sums of Money which Application of Monies raised.
 the said Commissioners and their Successors are hereby authorized to raise or charge, or which may be borrowed by the same Commissioners in pursuance of the Powers of this Act, shall be applied in the
 30 first place in paying all the Charges and Expenses of or incident to the obtaining and passing this Act, and afterwards in paying and discharging the necessary Expenses of making and completing the said intended new Street, and otherwise in carrying into execution the Purposes of the said recited Act of the Ninth and Tenth Years of
 35 Her Majesty's Reign.

V. And be it enacted, That the several Powers, Provisions, Exemptions, and Directions in the said last-mentioned Act contained with respect to Monies to be raised by the said Commissioners under the Authority or for the Purposes of the said Act, and the Application thereof, and the Receipts and Discharges to be given for the
 40 same, and the Accounts to be rendered thereof, shall, so far as the same
 661. C same

same are applicable and not otherwise provided for by this Act, be extended to this Act and the Monies to be raised under the Authority of this Act, as fully and effectually as if the same Powers, Provisions, Exemptions, and Directions were herein repeated and re-enacted in reference to such last-mentioned Monies. 5

Removing
Doubts as to
Time for
Purchases.

VI. And for removing all Doubts be it enacted and declared, That the Time by the said recited Act of the Ninth and Tenth Years of Her Majesty's Reign limited for the Purchase of Lands and Hereditaments, and for authorizing Parties and Bodies to sell and convey, shall be deemed and construed to be the Space of Seven Years from 10 the passing of the said last-mentioned Act; and all and singular the Powers and Authorities by the said last-mentioned Act granted to or vested in the said Commissioners and their Successors to purchase, take, or use any Lands, Tenements, and Hereditaments, or Parts thereof, or Rights or Interests therein, required for the Purposes of 15 the said Act of the Ninth and Tenth Years of Her Majesty's Reign, and the new Street and Improvement thereby authorized to be made, shall remain in force, and shall and may be exercised by the said Commissioners and their Successors or otherwise, for the Space of *Seven* Years from the passing of the said last-mentioned Act; and the said 20 last-mentioned Act shall be taken and construed as if the Powers and Authorities hereby given or confirmed had been given in express Terms by the said Act of the Ninth and Tenth Years of Her Majesty's Reign.

Surplus Monies to be invested in augmentation of the Metropolis Improvement Fund.

VII. And be it enacted, That all Sum and Sums of Money 25 received or to be received by the said Commissioners from any Sales or Leases or otherwise in respect of any Hereditaments or Property acquired or to be acquired by them under the Powers or for the Purposes of the said recited Act of the Ninth and Tenth Years of Her Majesty's Reign or this Act, and which shall remain in the 30 Hands of the said Commissioners or their Successors after the new Street and Improvement by the said Act authorized to be made shall have been made and completed, and the Purposes of the same Act and of this Act shall have been fully executed, shall (subject to the Payment thereof of any Monies which may remain due upon Loans 35 made to the said Commissioners under the Authority of the said recited Act or this Act, and the Interest thereof,) be applied in augmentation of the Fund for the Execution of Improvements in the Metropolis, and be invested in the Names of the said Commissioners or their Successors in some of the Public Stocks or Funds, or upon 40 Government or Real Securities, at Interest, on the said Account intituled "The Metropolis Improvement Fund Account;" and the said Commissioners and their Successors shall from Time to Time invest

invest the Dividends, Interest, and Income of the said Stocks, Funds, and Securities in like Manner for the Purpose of Accumulation in the meanwhile and until the said Fund shall be required for and appropriated by Parliament to the Execution of Improvements in the
5 Metropolis.

VIII. And be it enacted, That this Act shall be deemed to be a Public Act. Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others.

Spitalfields and Shoreditch New Street.

A

B I L L

To enlarge and extend the Powers of an Act of the Ninth and Tenth Years of Her present Majesty, intituled "An Act to enable the Commissioners of Her Majesty's Woods to construct " a new Street from Spitalfields to " Shoreditch."

*(Prepared and brought in by
Lord Seymour and Mr. Cornwell Lewis.)*

*Ordered, by The House of Commons, to be Printed,
1 August 1850.*

661.

Under 2 oz.

22 March 1850. 13 VICT.



A

B I L L

TO

Repeal certain Stamp Duties, and to grant others
in lieu thereof; and to amend the Laws relating
to the Stamp Duties.

[Note. — The Words printed in *Italics* are proposed to be inserted
in the Committee.]

WHEREAS by an Act passed in the Fifty-fifth Year of Preamble.
the Reign of King George the Third, intituled “An 55G.3.c.184.
“ Act for repealing the Stamp Duties on Deeds, Law
“ Proceedings, and other written or printed Instruments, and the
5 “ Duties on Fire Insurances, and on Legacies, and Successions to
“ Personal Estate upon Intestacies, now payable in Great Britain,
“ and for granting other Duties in lieu thereof,” certain Stamp
Duties specified and contained in a Schedule to the said Act annexed
were granted and made payable in and throughout Great Britain, for
10 and in respect of the several Instruments, Matters, and Things
described or mentioned in the said Schedule: And whereas by an
Act passed in the Sixth Year of the Reign of Her present Majesty,
intituled “An Act to assimilate the Stamp Duties in Great Britain 5 & 6 Vict.
“ and Ireland, and to make Regulations for collecting and managing c. 82.
15 “ the same until the Tenth Day of October One thousand eight
“ hundred and forty-five,” certain of the said Stamp Duties granted
by the said first-recited Act, and specified and contained in the
Schedule (A.) to this Act annexed, and therein described as Stamp
167. A Duties

8 Vict. c. 2.
11 Vict. c. 9.

Stamp
Duties spe-
cified in the
annexed
Schedule
(A.) repealed.

Duties in Great Britain and Ireland, were extended to and made payable in Ireland: And whereas by the said last-recited Act certain other Stamp Duties, also specified and contained in the said last-mentioned Schedule, and therein described as Stamp Duties in Ireland, were, amongst others, granted and made payable in Ireland: 5
And whereas under and by virtue of the said Two several Acts, and also of Two other Acts passed respectively in the Eighth and Eleventh Years of Her Majesty's Reign, for continuing the said last-recited Act, the said several Stamp Duties specified and contained in the Schedule (A.) to this Act annexed, for and in respect of the 10 several Instruments, Matters, and Things in the said last-mentioned Schedule mentioned and described, are (amongst others) now payable in Great Britain and Ireland and in Ireland respectively, as the same are respectively described in the same Schedule as aforesaid: And whereas it is expedient to repeal the said last-mentioned Stamp 15 Duties, and to substitute in lieu thereof other and more uniform Rates or Scales of Duties for and in respect of similar Instruments, Matters, and Things: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parlia- 20 ment assembled, and by the Authority of the same, That from and after the Fifth Day of July One thousand eight hundred and fifty the several Stamp Duties specified and contained in the Schedule (A.) to this Act annexed, and now payable in Great Britain and Ireland and in Ireland respectively, under or by virtue of the said 25 several Acts herein-before recited or referred to, or any of the said Acts respectively, or any other Act or Acts, for or in respect of the several Instruments, Matters, and Things described or mentioned in the said Schedule (A.), and so much of the said several Acts respectively as is contained in the said Schedule (A.), shall respectively 30 cease and determine, and shall be and the same are hereby repealed, save and except as to so much and such Parts of the said Duties respectively as shall have accrued or been incurred for or in respect of any Deed or Instrument which shall have been signed or executed by any Party thereto or which shall bear Date before or upon the 35 said Fifth Day of July One thousand eight hundred and fifty.

Stamp
Duties spe-
cified in the
annexed
Schedule
(B.) granted.

II. And be it enacted, That from and after the said Fifth Day of July One thousand eight hundred and fifty, in lieu and instead of the said several Duties by this Act repealed, there shall be granted, raised, levied, collected, and paid in and throughout the United Kingdom of 40 Great Britain and Ireland, unto and for the Use of Her Majesty, Her Heirs and Successors, for and in respect of the several Instruments, Matters, and Things described or mentioned in the Schedule (B.) to this Act annexed, or for or in respect of the Vellum, Parchment,

ment, or Paper upon which such Instruments, Matters, and Things respectively shall be written, the several Duties or Sums of Money set down in Figures against the same respectively or otherwise specified and set forth in the said last-mentioned Schedule, and that the said
 5 last-mentioned Schedule, and the several Provisions, Regulations, and Directions therein contained with respect to the said Duties, and the Instruments, Matters, and Things charged therewith, shall be deemed and taken to be Part of this Act, and shall be applied, observed, and put in execution accordingly.

- 10 III. And be it enacted, That the said Duties by this Act granted shall be denominated and deemed to be Stamp Duties, and shall be under the Care and Management of the Commissioners of Inland Revenue for the Time being; and that all Powers, Provisions, Clauses, Regulations, Directions, and Exemptions, Fines, Forfeitures, Pains,
 15 and Penalties, contained in or imposed by the said recited Act of the Fifty-fifth Year of the Reign of King George the Third and the Schedule thereto annexed, and in or by any other Act or Acts, relating to any Duties of the same Kind or Description heretofore payable in Great Britain and Ireland respectively, and in force at the Time of
 20 the passing of and not repealed by this Act, shall respectively be of full Force and Effect with respect to the Duties by this Act granted, and to the Vellum, Parchment, and Paper, Instruments, Matters, and Things, charged and chargeable therewith, and to the Persons liable to the Payment of the said Duties, so far as the same are or shall be
 25 applicable, in all Cases not hereby expressly provided for, and shall be observed, applied, allowed, enforced, and put in execution for the raising, levying, collecting, and securing of the said Duties hereby granted, and otherwise in relation thereto, so far as the same shall not be superseded by and shall be consistent with the express Provisions
 30 of this Act, as fully and effectually, to all Intents and Purposes, as if the same had been herein repeated and specially enacted, mutatis mutandis, with reference to the said Duties by this Act granted; and the said Schedule annexed to the said Act of the Fifty-fifth Year of the Reign of King George the Third and the said Schedule (B.) to
 35 this Act annexed shall be read and construed as One Schedule and as One Act.

Duties granted to be denominated Stamp Duties, and to be under the Care of the Commissioners of Inland Revenue. Powers and Provisions of former Acts to be in force and be put in execution with regard to the Duties hereby granted.

- IV. And whereas by an Act passed in the Fourth Year of the
 Reign of Her present Majesty, intituled "An Act for rendering a
 "Release as effectual for the Conveyance of Freehold Estates as a
 40 "Lease and Release by the same Parties," it is provided, that every Deed or Instrument taking effect under the said last-mentioned Act in the Manner therein mentioned shall be chargeable with the same Amount of Stamp Duty as any Bargain and Sale or Lease for a Year
 167. would

4 & 5 Vict. c. 21. s. 1.

8 & 9 Vict.
c. 106.

So much of
said Two
Acts as is
recited
repealed.

All Persons
evading
Stamp
Duties to be
liable for the
Amount,
and the Court
of Exche-
quer to en-
force Pay-
ment thereof.

would have been chargeable with (except progressive Duty) if executed to give Effect to such Deed or Instrument, in addition to the Stamp Duties which such Deed or Instrument shall be chargeable with as a Release or otherwise under any Act or Acts relating to Stamp Duties: And whereas by an Act passed in the Eighth and 5 Ninth Years of the Reign of Her present Majesty, intituled "An " Act to amend the Law of Real Property," it is enacted, that every Deed which by force only of the said last-mentioned Act shall be effectual as a Grant shall be chargeable with the Stamp Duty with which the same Deed would have been chargeable 10 in case the same had been a Release founded on a Lease or Bargain and Sale for a Year, and also with the same Stamp Duty (exclusive of progressive Duty) with which such Lease or Bargain and Sale for a Year would have been chargeable: And whereas it is expedient to repeal so much of the said Two several Acts last mentioned as imposes 15 upon any Deed or Instrument the said additional Stamp Duty as for a Bargain and Sale or Lease for a Year: Be it therefore enacted, That so much of the said Two several last-mentioned Acts as is hereinbefore recited shall, so far as relates to any Deed or Instrument which shall bear Date after the said *Fifth Day of July One thousand eight 20 hundred and fifty*, be and the same is hereby repealed.

V. And be it enacted, That if any Person shall have avoided, neglected, or omitted to pay, or shall at any Time hereafter avoid, neglect, or omit to pay, any Stamp Duty, or any Duty whatever by Law denominated or deemed to be a Stamp Duty, and which shall 25 have been or shall be payable, or if any Person shall have received or gotten into his Hands, or shall receive or get into his Hands, any Sum or Sums of Money as and for the Stamp Duty upon or in respect of any Deed, Instrument, or Transaction, or intended Deed, Instru- 30 ment, or Transaction, or the Duty upon or in respect of any Legacy or Residue or any other such Duty as aforesaid, and shall neglect or omit to appropriate such Sum or Sums of Money to the due Payment of such Duty, or shall otherwise by or under any Means or Pretence whatsoever improperly withhold or detain the same, or if any Person shall write, make, or prepare, or cause or procure to be written, made, 35 or prepared, or to be signed or executed, any Deed or Instrument liable to Stamp Duty, and not duly stamped, every such Person in any and every such Case shall be accountable for the Amount of such Duty or Sum or Sums of Money, and the same shall be a Debt from such Person to Her Majesty, Her Heirs and Successors, and recover- 40 able as such accordingly; and moreover it shall be lawful for the Barons of Her Majesty's Court of Exchequer in England, Scotland, or Ireland respectively, upon Application to be made for that Purpose on behalf of the Commissioners of Inland Revenue, upon such Affidavit

lawful for such Court to refer the taking or auditing of any such Account to the proper Officer of such Court, who shall examine any such Person as a Debtor or alleged Debtor to the Crown, on personal Interrogatories, if such Court shall think proper so to do ; and it shall
 5 be lawful for such Court to make absolute any such Rule as aforesaid in every Case in which the same may appear to such Court to be proper and necessary, and to enforce by Attachment or otherwise the Payment of any such Duties or Sums of Money as on such Proceedings shall appear to such Court to be due, together with the Costs of
 10 all such Proceedings.

VI. And whereas, for securing the due Payment of the Stamp Duties imposed by Law on Deeds and other Instruments, it is expedient to alter the Terms and Conditions on which any such Deed or Instrument may be stamped after the Execution or signing thereof:
 15 Be it therefore enacted, That where any Deed or Instrument liable by Law to any Stamp Duty shall be written on Vellum, Parchment, or Paper, and shall be signed or executed by any Person before such Vellum, Parchment, or Paper shall be duly stamped for denoting the Payment of the said Duty, then and in every such Case there shall
 20 be due, answered, and paid to Her Majesty, Her Heirs and Successors, the whole or (as the Case may be) the Deficiency of the Stamp Duty payable upon or in respect of such Deed or Instrument, and there shall also be paid and payable, over and above the said Duty or Deficiency of Duty, by way of Penalty, and in lieu of any former
 25 Penalty imposed or made payable by Law in the like Case, the Sum of Ten Pounds ; and where the whole Amount of Duty or the Deficiency of Duty to be denoted by the Stamp or Stamps required to be impressed on such Deed or Instrument when the same shall be brought to be stamped shall exceed the Sum of Ten Pounds,
 30 there shall be paid in addition to the said Penalty of Ten Pounds Interest on the said Duty or Deficiency of Duty computed at the Rate of Five Pounds per Centum per Annum from the Date or first signing or Execution of such Deed or Instrument ; provided, that if such Interest shall exceed in Amount the said Duty or Deficiency of
 35 Duty, then there shall be paid in addition to the said Penalty of Ten Pounds, and in lieu of the said Interest, a Sum equal to the Amount of the said Duty or Deficiency of Duty ; and the Commissioners of Inland Revenue are hereby required, upon Payment of the said Duty or Deficiency of Duty, and of the said Sum or Sums herein-before
 40 directed to be paid by way of Penalty, to cause such Deed or Instrument to be duly stamped with a Stamp or Stamps for denoting the Payment of such Duty or Deficiency, and also with a Stamp for denoting the Payment of a Penalty, in lieu of the Receipt heretofore required by any Act to be written or given for such Penalty ; and no
 210. B such

Terms and
Conditions
on which
Deeds, &c.
may be
stamped after
the signing
thereof.

Commissioners of Inland Revenue authorized to remit the Penalty on stamping Deeds, &c. within Twelve Months after the signing thereof.

Not to extend to Instruments for the stamping of which after the signing thereof special Provision is made, or to Cases where the stamping is by Law prohibited.

Commissioners may stamp Instruments executed abroad, without any Penalty, on their being brought for that Purpose within Two Months after their Arrival in the United Kingdom.

such Duty or Deficiency, and also with a Stamp for denoting the Payment of a Penalty, in lieu of the Receipt heretofore required by any Act to be written or given for such Penalty; and no such Deed or Instrument shall be pleaded or given in Evidence, or admitted to be good, useful, or available in Law or Equity, until the same shall 5 be duly stamped in manner aforesaid: Provided always, that where it shall appear to the Commissioners of Inland Revenue, upon Oath or otherwise, to their Satisfaction, that any Deed or Instrument hath not been duly stamped previously to being signed or executed by reason of Accident, Mistake, Inadvertency, or urgent Necessity, 10 and without any wilful Design or Intention to defraud Her Majesty, Her Heirs or Successors, of the Duty chargeable in respect thereof, or to evade or delay the Payment of such Duty, then and in any such Case, if such Deed or Instrument shall within Twelve Calendar Months after the first signing or executing of the same by any Per- 15 son be brought to the said Commissioners in order to be stamped, and the Stamp Duty chargeable thereon by Law shall be paid, it shall be lawful for the said Commissioners, if they shall think fit, to remit the whole or any Part of the Penalty payable on stamping such Deed or Instrument, and to cause such Deed or Instrument to be 20 duly stamped, upon Payment of the whole, or, as the Case may be, the Deficiency of the Stamp Duty chargeable thereon by Law, and either with or without any Portion of the said Penalty; and thereupon every such Deed or Instrument shall be as valid and available in the Law as it would have been if it had been duly stamped before 25 the signing or executing of the same: Provided also, that nothing herein contained shall extend or be deemed or construed to extend to any Deed or Instrument for the stamping of which after the signing or Execution thereof Provision is specially made by any Law now in force, or to any Deed or Instrument the stamping of 30 which after the signing or Execution thereof is expressly prohibited or restricted by any such Law as aforesaid, or to repeal, alter, or affect any such Provision, Prohibition, or Restriction.

VII. Provided always, and be it enacted, That it shall be lawful for the Commissioners of Inland Revenue to order and direct that 35 any Deed or Instrument which shall have been or shall or may be signed or executed by any Party thereto at any Place out of the United Kingdom may be duly stamped, upon Payment of the proper Stamp Duty payable thereon, and without Payment of any additional Duty or Penalty; provided such Deed or Instrument shall be brought 40 to the said Commissioners to be stamped as aforesaid within the Space of *Two* Calendar Months from the Time when the same shall have been received in the United Kingdom, and provided Proof shall be first made to the Satisfaction of the said Commissioners of the Facts aforesaid, and that such Deed or Instrument had not been 45 signed

signed or executed by any Party thereto within the United Kingdom when the same was so received as aforesaid.

VIII. And whereas by an Act passed in the Ninth Year of the Reign of King George the Fourth, intituled "An Act to repeal the 9 G. 4. c. 27.
 5 " Allowances made to Stationers on the Purchase of Stamps for s. 4.
 " Receipts at the Head Office in London, and to grant an Allowance
 " to Persons purchasing such Stamps to a certain Amount of the
 " Commissioners of Stamps, or of the Distributors of Stamps in
 " Great Britain," it is enacted, that if any Person or Persons, upon
 10 the Sale of any Stamp or Stamps for a Receipt or Receipts, shall
 make any Charge to the Purchaser of such Stamp or Stamps for the
 Paper whereon the same shall be impressed, or shall under any
 Colour or Pretence whatever demand or receive a greater Price or
 Sum than the Amount of the Stamp Duty denoted by such Stamp
 15 or Stamps, every such Person so offending shall for every such
 Offence forfeit and pay the Sum of *Ten Pounds*: And whereas it is
 expedient to repeal the said last-mentioned Enactment: Be it therefore
 enacted, That from and after the passing of this Act so much of the
 said last-recited Act as is herein-before set forth shall be and the same
 20 is hereby repealed.

So much of
 recited Act
 as imposes a
 Penalty on
 Vendors of
 Receipt
 Stamps
 charging for
 the Paper
 repealed.

IX. And in order to avoid the frequent Use of divers Terms and Expressions, and to prevent any Misconstruction of the Terms and Expressions used in this or any other Act relating to Stamp Duties, be it enacted, That wherever in this Act or in any other such Act as
 25 aforesaid, with reference to any Person, Offence, Matter, or Thing,
 any Word or Words is or are or have been or shall be used importing
 the Singular Number or the Masculine Gender only, yet such Words
 shall be understood to include several Persons as well as one Person,
 Females as well as Males, Bodies Politic or Corporate as well as
 30 Individuals, and several Matters or Things as well as one Matter or
 Thing, unless it be otherwise specially provided, or there be some-
 thing in the Subject or Context repugnant to such Construction; and
 that wherever the several Words, Terms, or Expressions following
 are or shall be used in this Act or in any other such Act as aforesaid,
 35 with reference to any Deed or Instrument, they shall be construed
 respectively in the Manner herein-after directed, (that is to say,) the
 Word "write" or the Word "written" shall be respectively
 deemed to mean and include the several Words "engross" or
 "engrossed," "print" or "printed," or "partly engross and partly
 40 print," or "partly engrossed and partly printed," as well as "write"
 or "written."

Construction
 of certain
 Terms used
 in Stamp
 Acts.

X. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

Act may be
 amended or
 repealed this
 Session.

6 & 7 W. 4.
c. 28.
and 1 & 2
Vict. c. 61.
as to De-
posit of
Stock.

Fire Insu-
rance Li-
cences in
Ireland to be
permanent.

Security to
be given for
Payment of
Duties.

mentioned: And whereas under and by virtue of an Act passed in the Sixth and Seventh Years of the Reign of His late Majesty King William the Fourth, intituled "An Act to enable Persons to make
" Deposits of Stock or Exchequer Bills in lieu of giving Security by
" Bond to the Postmaster General and Commissioners of Land 5
" Revenue, Customs, Excise, Stamps, and Taxes," and of an Act passed in the First and Second Years of Her present Majesty's Reign, for amending the said last-mentioned Act, any Person from whom any Security is required in respect of any Matter relating to the Revenues of the Post Office, Land Revenues, Customs, Excise, 10 Stamps, or Taxes is enabled, in lieu of giving such Security by Bond, to give the same by Transfer of Stock or Deposit of Exchequer Bills, as therein mentioned: And whereas the giving of Security every Year by Persons in Ireland insuring Property from Loss or Damage by Fire on taking out a Licence for that Purpose is attended 15 with great Inconvenience, and it is expedient to provide a Remedy for the same: Be it therefore enacted, That every Licence which shall be hereafter granted for insuring Houses, Furniture, Goods, Wares, Merchandize, or other Property from Loss by Fire, under the said Act passed in the Fifty-fifth Year of the Reign of King George 20 the Third, shall endure and remain in force from the Day of the Date thereof for and during all such Time as the Body Politic or Corporate to which the same shall be granted, or the Person or Persons therein named, or any of them, shall continue to insure or carry on the Business of Fire Insurance, or in the Case of a Company 25 in Ireland not incorporate, so long as the Persons named in the Licence shall be Members or Partners, or a Member or Partner, of the Company named or described in such Licence, and as and for the whole of which the same shall have been granted, anything in any of the said recited Acts or in any other Act contained to the contrary 30 notwithstanding: Provided always, that every Person and Body Politic or Corporate, to whom any such Licence as aforesaid shall be granted, shall give Security by Bond to Her Majesty, Her Heirs and Successors, in such Sum as the Commissioners of Inland Revenue, or their proper Officer in that Behalf in Ireland shall think proper, with suf- 35 ficient Sureties to the Satisfaction of the said Commissioners or Officer, or by Transfer of Stock, or Deposit of Exchequer Bills in pursuance of the said recited Acts in that behalf, for duly and faithfully keeping, making out, signing, and delivering in the Manner required by any Act of Parliament relating thereto, all and every the Accounts by any such 40 Act required to be kept, made out, signed, and delivered by Persons and Bodies Politic or Corporate, to whom Licence is granted for insuring Houses, Furniture, Goods, Wares, Merchandize, or other Property from Loss by Fire, and for duly and faithfully paying, as required by any such Act, the Duties which shall appear to 45 be

- be due on such Accounts respectively, and for truly and faithfully observing and performing all the Directions, Matters, and Things contained in the said Acts on the Part of such licensed Person or Body Politic or Corporate to be observed and performed; and every such Security to be given under any of the said Acts, whether by Bond or Transfer or Deposit of Stock, or Exchequer Bills, and in the Case of any such Transfer or Deposit in or into whose Name or Names soever, together with the Name of the Chairman of the Commissioners of Inland Revenue for the Time being, the Stock or Exchequer Bills shall be or be transferred or deposited, shall continue and be a Security for the due Performance of all Things required as aforesaid, not only during all such Time as the Licence to which the same shall relate shall be in force, but in the Case of Bodies Politic or Corporate or Companies not incorporate in Ireland, during all such Time as the Body Politic or Corporate or the Company not incorporate named or described in such Licence shall insure any such Property from Loss by Fire, or shall carry on the Business of such Insurance, whether any such Licence shall be in force or not, or otherwise, according to the Conditions of any such Bond, or the Terms or Conditions of any Declaration relating to any such Stock or Exchequer Bills; and such Stock or Exchequer Bills may, when the Security for which the same was or were transferred or deposited shall be no longer necessary, be transferred or delivered up to any of the Persons who for the Time being shall be a Partner or Member or Partners or Members of the Company for or on whose Behalf the same was or were transferred or deposited, or otherwise, according to the Terms, if any, in that Behalf mentioned and contained in any such Declaration as the said Chairman for the Time being shall think proper; provided always, that every such Security shall be renewed from Time to Time, as often as any such Bond shall become forfeited, or any of the Parties thereto shall die or become bankrupt or insolvent or reside in Parts beyond the Seas, and also as often as the said Commissioners or their said Officer shall think fit, and in such Amount as they or the Commissioners of Her Majesty's Treasury shall direct, whether the same shall be by Bond or Transfer or Deposit as aforesaid, and in the event of any Neglect or Refusal to renew the same when required by this Act, or by the said Commissioners of Inland Revenue, or their said Officer, it shall be lawful for the said last-mentioned Commissioners to revoke the Licence which shall have been granted to the Body Politic or Corporate, or Company, or Person or Persons neglecting or refusing to renew such Security to insure Property from Loss by Fire, and thenceforth such Licence shall cease and determine.

The Security to continue in force so long as the Person to whom the License is granted or the Company shall continue to insure.

The Security to be renewed.

Construction
of certain
Terms used
in Stamp
Acts.

X. And in order to avoid the frequent Use of divers Terms and Expressions, and to prevent any Misconstruction of the Terms and Expressions used in this or any other Act relating to Stamp Duties, be it enacted, That wherever in this Act or in any other such Act as aforesaid, with reference to any Person, Offence, Matter, or Thing, 5 any Word or Words is or are or have been or shall be used importing the Singular Number or the Masculine Gender only, yet such Words shall be understood to include several Persons as well as one Person, Females as well as Males, Bodies Politic or Corporate as well as Individuals, and several Matters or Things as well as one Matter or 10 Thing, unless it be otherwise specially provided, or there be something in the Subject or Context repugnant to such Construction; and that wherever the several Words, Terms, or Expressions following are or shall be used in this Act or in any other such Act as aforesaid, with reference to any Deed or Instrument, they shall be construed 15 respectively in the Manner herein-after directed, (that is to say,) the Word "write" or the Word "written" shall be respectively deemed to mean and include the several Words "engross" or "engrossed," "print" or "printed," or "partly engross and partly print," or "partly engrossed and partly printed," as well as "write" 20 or "written."

Act may be
amended or
repealed this
Session.

XI. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

SCHE.

SCHEDULE (A.)

CONTAINING

THE DUTIES REPEALED BY THIS ACT.

STAMP DUTIES IN GREAT BRITAIN AND IRELAND.

| SCHEDULE (A.) | Duty. |
|---|--|
| | £ s. d. |
| BARGAIN and SALE (or Lease) for a Year, for vesting the Possession of Lands or other Hereditaments, and enabling the Bargainee to take a Release of the Freehold or Inheritance upon the Sale or Mortgage thereof; | |
| Where the Purchase or Consideration Money expressed in the Release shall not amount to 20 <i>l</i> . - - - - | 0 10 0 |
| And where the same shall amount to 20 <i>l</i> . and not amount to 50 <i>l</i> . - | 0 15 0 |
| And where the same shall amount to 50 <i>l</i> . and not amount to 150 <i>l</i> . - | 1 0 0 |
| And where the same shall amount to 150 <i>l</i> . or upwards - - - - | 1 15 0 |
| And where any such Bargain and Sale as aforesaid, together with any Schedule, Receipt, or other Matter put or endorsed thereon or annexed thereto, shall contain 2,160 Words or upwards, then for every entire Quantity of 1,080 Words contained therein, over and above the first 1,080 Words, a further progressive Duty of - - - - | 1 5 0 |
| BOND in England or Ireland, and Personal Bond in Scotland, given as a Security for the Payment of any definite and certain Sum of Money, | |
| Not exceeding 50 <i>l</i> . - - - - | 1 0 0 |
| Exceeding 50 <i>l</i> . and not exceeding 100 <i>l</i> . - - - - | 1 10 0 |
| Exceeding 100 <i>l</i> . and not exceeding 200 <i>l</i> . - - - - | 2 0 0 |
| Exceeding 200 <i>l</i> . and not exceeding 300 <i>l</i> . - - - - | 3 0 0 |
| Exceeding 300 <i>l</i> . and not exceeding 500 <i>l</i> . - - - - | 4 0 0 |
| Exceeding 500 <i>l</i> . and not exceeding 1,000 <i>l</i> . - - - - | 5 0 0 |
| Exceeding 1,000 <i>l</i> . and not exceeding 2,000 <i>l</i> . - - - - | 6 0 0 |
| Exceeding 2,000 <i>l</i> . and not exceeding 3,000 <i>l</i> . - - - - | 7 0 0 |
| Exceeding 3,000 <i>l</i> . and not exceeding 4,000 <i>l</i> . - - - - | 8 0 0 |
| Exceeding 4,000 <i>l</i> . and not exceeding 5,000 <i>l</i> . - - - - | 9 0 0 |
| Exceeding 5,000 <i>l</i> . and not exceeding 10,000 <i>l</i> . - - - - | 12 0 0 |
| Exceeding 10,000 <i>l</i> . and not exceeding 15,000 <i>l</i> . - - - - | 15 0 0 |
| Exceeding 15,000 <i>l</i> . and not exceeding 20,000 <i>l</i> . - - - - | 20 0 0 |
| Exceeding 20,000 <i>l</i> . - - - - | 25 0 0 |
| BOND in England or Ireland, and Personal Bond in Scotland, given as a Security for the Repayment of any Sum or Sums of Money to be thereafter lent, advanced, or paid, or which may become due upon an Account Current, together with any Sum already advanced or due, or without, as the Case may be; | |
| Where the total Amount of the Money secured or to be ultimately recoverable thereupon shall be uncertain and without any Limit - - - - | 25 0 0 |
| And where the Money secured or to be ultimately recoverable thereupon shall be limited not to exceed a given Sum - | The same Duty as on a Bond for such limited Sum. |

| SCHEDULE (A.) | Duty. |
|--|---|
| BOND in England or Ireland, and Personal Bond in Scotland, given as a Security for the Transfer or Re-transfer of any Share in any of the Government or Parliamentary Stocks or Funds, or in the Stock and Funds of the Governor and Company of the Bank of England, or of the Bank of Ireland, or of the East India Company, or of the South Sea Company - - - - - | <p>£ s. d.</p> <p>The same Duty as on a Bond for a Sum of Money equal to the Value of the Stock or Fund secured, according to the average Price thereof on the Day of the Date of the Bond, or on either of the Ten Days preceding.</p> |
| Heritable BOND in Scotland for any of the Purposes aforesaid. See MORTGAGE. | |
| BOND in England or Ireland, and Personal Bond in Scotland, given as a Security for the Payment of any Sum of Money, or for the Transfer or Re-transfer of any Share in any of the Stocks or Funds before mentioned, which shall be in part secured by a Mortgage or Wadset, or other Instrument or Writing charged with the same Duty as a Mortgage or Wadset, bearing even Date with such Bond; or for the Performance of Covenants contained in such Mortgage or other Instrument or Writing; or for both those Purposes - - - | 1 0 0 |
| BOND in England or Ireland, and Personal Bond in Scotland, given as a collateral or auxiliary Security for the Payment of any Annuity upon the original Creation and Sale thereof, where the same shall be granted or conveyed or secured by any other Deed or Instrument liable to and charged with the ad valorem Duty imposed on Conveyances upon the Sale of any Property - - - - - | 1 0 0 |
| BOND in England or Ireland, and Personal or Heritable Bond in Scotland, given as the Security for the Payment of any Annuity (except upon the original Creation and Sale thereof), or of any Sum or Sums of Money at stated Periods (not being Interest for any Principal Sum, nor Rent reserved or payable upon any Lease or Tack), for any definite and certain Term, so that the total Amount of the Money to be paid can be previously ascertained - - - - - | <p>The same Duty as on a Bond of the like Nature for the Payment of a Sum of Money equal to such total Amount.</p> |
| BOND in England or Ireland, and Personal and Heritable Bond in Scotland, given as a Security for the Payment of any Annuity (except as aforesaid), or of any Sum or Sums of Money at stated Periods (not being Interest for any Principal Sum, nor Rent reserved or payable upon any Lease or Tack), for the Term of Life or any other indefinite Period, so that the whole of the Money to be paid cannot be previously ascertained; | |
| Where the Annuity or Sum secured shall not amount to 10 <i>l.</i> per Annum - - - - - | 1 0 0 |
| And where the same shall amount to 10 <i>l.</i> and not amount to 50 <i>l.</i> per Annum - - - - - | 2 0 0 |
| And where the same shall amount to 50 <i>l.</i> and not amount to 100 <i>l.</i> per Annum - - - - - | 3 0 0 |
| And where the same shall amount to 100 <i>l.</i> and not amount to 200 <i>l.</i> per Annum - - - - - | 4 0 0 |
| And where the same shall amount to 200 <i>l.</i> and not amount to 300 <i>l.</i> per Annum - - - - - | 5 0 0 |
| And where the same shall amount to 300 <i>l.</i> and not amount to 400 <i>l.</i> per Annum - - - - - | 6 0 0 |

| SCHEDULE (A.) | Duty. |
|---|---------|
| BOND—continued. | £ s. d. |
| And where the same shall amount to 400 <i>l.</i> and not amount to 500 <i>l.</i>
per Annum - - - - - | 7 0 0 |
| And where the same shall amount to 500 <i>l.</i> and not amount to 750 <i>l.</i>
per Annum - - - - - | 9 0 0 |
| And where the same shall amount to 750 <i>l.</i> and not amount to
1,000 <i>l.</i> per Annum - - - - - | 12 0 0 |
| And where the same shall amount to 1,000 <i>l.</i> and not amount to
1,500 <i>l.</i> per Annum - - - - - | 15 0 0 |
| And where the same shall amount to 1,500 <i>l.</i> and not amount to
2,000 <i>l.</i> per Annum - - - - - | 20 0 0 |
| And where the same shall amount to 2,000 <i>l.</i> per Annum or upwards | 25 0 0 |
| But where there shall be both a Personal and Heritable Bond in
Scotland in separate Deeds of the same Date, for securing
any such Annuity or Sums payable at stated Periods, and
the ad valorem Duty charged thereon shall amount to 2 <i>l.</i> or
upwards, the Heritable Bond only shall be charged with the
ad valorem Duty, and the Personal Bond shall be charged
only with a Duty of - - - - - | 1 0 0 |
| And where any such Bond as aforesaid, together with any Sched-
ule, Receipt, or other Matter put or endorsed thereon or
annexed thereto, shall contain 2,160 Words or upwards,
there shall be charged for every entire Quantity of 1,080
Words contained therein, over and above the first 1,080
Words, a further progressive Duty of - - - - - | 1 5 0 |
| CONVEYANCE , whether Grant, Disposition, Lease, Assignment, Transfer,
Release, Renunciation, or of any other Kind or Description whatso-
ever, upon the Sale of any Lands, Tenements, Rents, Annuities, or
other Property, real or personal, heritable or moveable, or of any
Right, Title, Interest, or Claim in, to, out of, or upon any Lands,
Tenements, Rents, Annuities, or other Property; that is to say, for
and in respect of the principal or only Deed, Instrument, or Writing
whereby the Lands or other Things sold shall be granted, leased,
assigned, transferred, released, renounced, or otherwise conveyed to or
vested in the Purchaser or Purchasers, or any other Person or Persons
by his, her, or their Direction; | |
| Where the Purchase or Consideration Money therein or thereupon
expressed shall not amount to 20 <i>l.</i> - - - - - | 0 10 0 |
| And where the same shall amount to 20 <i>l.</i> and not amount to 50 <i>l.</i> - | 1 0 0 |
| And where the same shall amount to 50 <i>l.</i> and not amount to 150 <i>l.</i> - | 1 10 0 |
| And where the same shall amount to 150 <i>l.</i> and not amount to 300 <i>l.</i> - | 2 0 0 |
| And where the same shall amount to 300 <i>l.</i> and not amount to 500 <i>l.</i> - | 3 0 0 |
| And where the same shall amount to 500 <i>l.</i> and not amount to 750 <i>l.</i> - | 6 0 0 |
| And where the same shall amount to 750 <i>l.</i> and not amount to 1,000 <i>l.</i>
2,000 <i>l.</i> - - - - - | 12 0 0 |
| And where the same shall amount to 2,000 <i>l.</i> and not amount to
3,000 <i>l.</i> - - - - - | 25 0 0 |
| And where the same shall amount to 3,000 <i>l.</i> and not amount to
4,000 <i>l.</i> - - - - - | 35 0 0 |
| And where the same shall amount to 4,000 <i>l.</i> and not amount to
5,000 <i>l.</i> - - - - - | 45 0 0 |
| And where the same shall amount to 5,000 <i>l.</i> and not amount to
6,000 <i>l.</i> - - - - - | 55 0 0 |

| SCHEDULE (A.) | Duty. |
|--|-----------|
| CONVEYANCE—<i>continued.</i> | £ s. d. |
| And where the same shall amount to 6,000 <i>l.</i> and not amount to 7,000 <i>l.</i> - - - - - | 65 0 0 |
| And where the same shall amount to 7,000 <i>l.</i> and not amount to 8,000 <i>l.</i> - - - - - | 75 0 0 |
| And where the same shall amount to 8,000 <i>l.</i> and not amount to 9,000 <i>l.</i> - - - - - | 85 0 0 |
| And where the same shall amount to 9,000 <i>l.</i> and not amount to 10,000 <i>l.</i> - - - - - | 95 0 0 |
| And where the same shall amount to 10,000 <i>l.</i> and not amount to 12,500 <i>l.</i> - - - - - | 110 0 0 |
| And where the same shall amount to 12,500 <i>l.</i> and not amount to 15,000 <i>l.</i> - - - - - | 130 0 0 |
| And where the same shall amount to 15,000 <i>l.</i> and not amount to 20,000 <i>l.</i> - - - - - | 170 0 0 |
| And where the same shall amount to 20,000 <i>l.</i> and not amount to 30,000 <i>l.</i> - - - - - | 240 0 0 |
| And where the same shall amount to 30,000 <i>l.</i> and not amount to 40,000 <i>l.</i> - - - - - | 350 0 0 |
| And where the same shall amount to 40,000 <i>l.</i> and not amount to 50,000 <i>l.</i> - - - - - | 450 0 0 |
| And where the same shall amount to 50,000 <i>l.</i> and not amount to 60,000 <i>l.</i> - - - - - | 550 0 0 |
| And where the same shall amount to 60,000 <i>l.</i> and not amount to 80,000 <i>l.</i> - - - - - | 650 0 0 |
| And where the same shall amount to 80,000 <i>l.</i> and not amount to 100,000 <i>l.</i> - - - - - | 800 0 0 |
| And where the same shall amount to 100,000 <i>l.</i> or upwards - | 1,000 0 0 |
| And where any Freehold Lands or Hereditaments in England or Ireland shall be conveyed by a Deed of Feoffment, with or without any Letter or Letters of Attorney therein contained to deliver or receive Seisin, or by a Deed of Bargain and Sale enrolled, such Deed of Feoffment or Bargain and Sale, unless accompanied with a Lease and Release, shall be charged with a further Duty as follows: | |
| If the Purchase or Consideration Money therein or thereupon expressed shall be under 20 <i>l.</i> - - - | 0 10 0 |
| If it shall amount to 20 <i>l.</i> and not amount to 50 <i>l.</i> - - - | 0 15 0 |
| If it shall amount to 50 <i>l.</i> and not amount to 150 <i>l.</i> - - - | 1 0 0 |
| If it shall amount to 150 <i>l.</i> or upwards - - - | 1 15 0 |
| But if there shall be both a Feoffment and a Bargain and Sale enrolled, then the said further Duty shall not attach on either. | |
| And where the principal or only Deed or Instrument of Conveyance, together with any Schedule, Receipt, or other Matter put or endorsed thereon or annexed thereto, shall contain 2,160 Words or upwards, then for every entire Quantity of 1,080 Words contained therein, over and above the first 1,080 Words, a further progressive Duty of - - - | 1 0 0 |

| SCHEDULE (A.) | Duty. |
|--|--|
| COPYHOLD Estates; and Customary Estates passing by Surrender and Admittance, or by Admittance only, and not by Deed; INSTRUMENTS relating thereto upon the Sale or Mortgage of any such Estates; that is to say: | £ s. d. |
| Any ADMITTANCE out of Court, or the Memorandum thereof; where the clear yearly Value of the Estate shall exceed Twenty Shillings - - - - - | 1 0 0 |
| And where the same shall not exceed Twenty Shillings - - - - - | 0 5 0 |
| The COPY OF COURT ROLL of any Admittance in Court; where the clear yearly Value of the Estate shall exceed Twenty Shillings - - - - - | 1 0 0 |
| And where the same shall not exceed Twenty Shillings - - - - - | 0 5 0 |
| LEASE or TACK of any Lands, Hereditaments, or Heritable Subjects, granted in consideration of a Sum of Money by way of Fine, Premium, or Grassum paid for the same, without any yearly Rent, or with any yearly Rent under 20 <i>l</i> . - - - - -
(Save and except Leases and Tacks for a Life or Lives not exceeding Three, or for a Term of Years determinable with a Life or Lives not exceeding Three, by whomsoever granted, and Leases for a Term absolute not exceeding Twenty-one Years, granted by Ecclesiastical Corporations, aggregate or sole.) | The same Duty as for the Conveyance on the Sale of Lands for a Sum of Money of the same Amount. |
| LEASE or TACK of any Lands, Hereditaments, or Heritable Subjects, at a yearly Rent, without any Sum of Money by way of Fine, Premium, or Grassum paid for the same; | |
| Where the yearly Rent shall not amount to 20 <i>l</i> . - - - - - | 1 0 0 |
| And where the same shall amount to 20 <i>l</i> . and not amount to 100 <i>l</i> . - - - - - | 1 10 0 |
| And where the same shall amount to 100 <i>l</i> . and not amount to 200 <i>l</i> . - - - - - | 2 0 0 |
| And where the same shall amount to 200 <i>l</i> . and not amount to 400 <i>l</i> . - - - - - | 3 0 0 |
| And where the same shall amount to 400 <i>l</i> . and not amount to 600 <i>l</i> . - - - - - | 4 0 0 |
| And where the same shall amount to 600 <i>l</i> . and not amount to 800 <i>l</i> . - - - - - | 5 0 0 |
| And where the same shall amount to 800 <i>l</i> . and not amount to 1,000 <i>l</i> . - - - - - | 6 0 0 |
| And where the same shall amount to 1,000 <i>l</i> . or upwards - - - - - | 10 0 0 |
| LEASE or TACK of any Lands, Hereditaments, or Heritable Subjects, granted in consideration of a Sum of Money by way of Fine, Premium, or Grassum, and also of a yearly Rent amounting to 20 <i>l</i> . or upwards - - - - -
(Save and except the Leases and Tacks herein-before excepted.) | Both the ad valorem Duties payable for a Lease in consideration of a Fine only and for a Lease in consideration of a Rent only of the same Amount. |
| LEASE or TACK of any kind, not otherwise charged - - - - - | 1 15 0 |
| And for the Counterpart or Duplicate of any Lease or Tack charged with a Duty not exceeding 1 <i>l</i> . - - - - - | The like Duty as on the Lease or Tack. |
| And for the Counterpart or Duplicate of any other Lease or Tack whatsoever - - - - - | 1 10 0 |
| And where any such Lease or Tack, Counterpart or Duplicate as aforesaid, together with any Schedule, Receipt, or other Matter put or endorsed thereon or annexed thereto, shall contain 2,160 Words or upwards, then for every entire Quantity of 1,080 Words contained therein, over and above the first 1,080 Words, a further progressive Duty of - - - - - | 1 0 0 |
| MEMORIAL to be registered pursuant to any Act of Parliament made or to be made for the Public Registering of Deeds and Conveyances in England or Ireland - - - - - | 0 10 0 |

| SCHEDULE (A.) | Duty. |
|--|---------|
| MEMORIAL — <i>continued</i> . | £ s. d. |
| And for every Piece of Vellum, Parchment, or Paper, upon which any such Memorial shall be written after the first, a further progressive Duty of - - - - - | 0 10 0 |
| MORTGAGE , Conditional Surrender by way of Mortgage, Further Charge, Wadset, and Heritable Bond, Disposition, Assignment, or Tack in Security, and Eik to a Reversion, of or affecting any Lands, Estate, or Property, real or personal, heritable or moveable, whatsoever ; | |
| Also any Deed containing an Obligation to infest any Person in an Annual Rent, or in Lands or other Heritable Subjects, in Scotland, under a Clause of Reversion, but without any Personal Bond or Obligation therein contained for Payment of the Money or Stock intended to be secured. | |
| Also any Conveyance of any Lands, Estate, or Property whatsoever in trust to be sold or otherwise converted into Money, which shall be intended only as a Security, and shall be redeemable before the Sale or other Disposal thereof, either by express Stipulation or otherwise, except where such Conveyance shall be made for the Benefit of Creditors generally, or for the Benefit of Creditors specified, who shall accept the Provision made for Payment of their Debts in full Satisfaction thereof, or who shall exceed Five in Number : | |
| Also any Defeasance, Letter of Reversion, Back Bond, Declaration, or other Deed or Writing for defeating or making redeemable or explaining or qualifying any Conveyance, Disposition, Assignment, or Tack of any Lands, Estate, or Property whatsoever, which shall be apparently absolute, but intended only as a Security : | |
| Also any Agreement, Contract, or Bond accompanied with a Deposit of Title Deeds for making a Mortgage, Wadset, or any such other Security or Conveyance as aforesaid of any Lands, Estate, or Property comprised in such Title Deeds, or for pledging or charging the same as a Security : | |
| And also any Deed whereby a Real Burden shall be declared or created on Lands or Heritable Subjects in Scotland : | |
| Where the same respectively shall be made as a Security for the Payment of any definite and certain Sum of Money advanced or lent at the Time, or previously due and owing or forborne to be paid, being payable ; | |
| Not exceeding 50 <i>l</i> . - - - - - | 1 0 0 |
| Exceeding 50 <i>l</i> . and not exceeding 100 <i>l</i> . - - - | 1 10 0 |
| Exceeding 100 <i>l</i> . and not exceeding 200 <i>l</i> . - - - | 2 0 0 |
| Exceeding 200 <i>l</i> . and not exceeding 300 <i>l</i> . - - - | 3 0 0 |
| Exceeding 300 <i>l</i> . and not exceeding 500 <i>l</i> . - - - | 4 0 0 |
| Exceeding 500 <i>l</i> . and not exceeding 1,000 <i>l</i> . - - - | 5 0 0 |
| Exceeding 1,000 <i>l</i> . and not exceeding 2,000 <i>l</i> . - - - | 6 0 0 |
| Exceeding 2,000 <i>l</i> . and not exceeding 3,000 <i>l</i> . - - - | 7 0 0 |
| Exceeding 3,000 <i>l</i> . and not exceeding 4,000 <i>l</i> . - - - | 8 0 0 |
| Exceeding 4,000 <i>l</i> . and not exceeding 5,000 <i>l</i> . - - - | 9 0 0 |
| Exceeding 5,000 <i>l</i> . and not exceeding 10,000 <i>l</i> . - - - | 12 0 0 |
| Exceeding 10,000 <i>l</i> . and not exceeding 15,000 <i>l</i> . - - - | 15 0 0 |
| Exceeding 15,000 <i>l</i> . and not exceeding 20,000 <i>l</i> . - - - | 20 0 0 |
| Exceeding 20,000 <i>l</i> . - - - - - | 25 0 0 |

| SCHEDULE (A.) | Duty. |
|---|---|
| MORTGAGE—continued. | £ s. d. |
| And where the same respectively shall be made as a Security for the Repayment of Money to be thereafter lent, advanced, or paid, or which may become due upon an Account Current, together with any Sum already advanced or due, or without, as the Case may be, other than and except any Sum or Sums of Money to be advanced for the Insurance of any Property comprised in such Mortgage or Security against Damage by Fire, or to be advanced for the Insurance of any Life or Lives, pursuant to any Agreement in any Deed whereby any Annuity shall be granted or secured for such Life or Lives; | |
| If the total Amount of the Money secured, or to be ultimately recoverable thereupon, shall be uncertain and without any Limit - - - - - | 25 0 0 |
| But if the total Amount of the Money secured, or to be ultimately recoverable thereupon, shall be limited not to exceed a given Sum - - - - - | The same Duty as on a Mortgage or Wadset for such limited Sum. |
| And where the same respectively shall be made as a Security for the Transfer or Re-transfer of any Share in any of the Government or Parliamentary Stocks or Funds, or in the Stock and Funds of the Governor and Company of the Bank of England, or of the Bank of Ireland, or of the East India Company, or of the South Sea Company, in consideration of Stock or Money advanced or lent at the Time, or previously due and owing or forborne to be paid, being payable - | The same Duty as on a Mortgage or Wadset for a Sum of Money equal to the Value of the Stock or Fund secured, according to the average Price thereof on the Day of the Date of the Mortgage or other Instrument aforesaid, or on either of the Ten Days preceding. |
| And where any such Mortgage or Wadset, or other Instrument charged with the same Duty as a Mortgage or Wadset, together with any Schedule, Receipt, or other Matter put or endorsed thereon or annexed thereto, shall contain 2,160 Words, or upwards, then for every entire Quantity of 1,080 Words contained therein, over and above the first 1,080 Words, a further progressive Duty of - - - | 1 0 0 |
| MORTGAGE, &c. —Any Transfer, Assignment, Disposition, Assignment, or Reconveyance of any Mortgage, or of any other Security aforesaid under the Head MORTGAGE, or of the Benefit thereof, or of the Money or Stock thereby secured - - - - - | 1 15 0 |
| And where any such Transfer or Assignment, Disposition, Assignment, or Reconveyance, together with any Schedule, Receipt, or other Matter put or indorsed thereon or annexed thereto, shall contain 2,160 Words or upwards, then for every entire Quantity of 1,080 Words contained therein over and above the first 1,080 Words a further progressive Duty of - - - | 1 5 0 |
| SETTLEMENT. Any Deed or Instrument, whether voluntary or gratuitous, or upon any good or valuable Consideration other than a bonâ fide pecuniary Consideration, whereby any definite and certain Principal Sum or Sums of Money (whether charged or chargeable on Lands or other Hereditaments or Heritable Subjects, or not, or to be laid out in the Purchase of Lands or other Hereditaments or Heritable Subjects, or | |

| SCHEDULE (A.) | Duty. |
|--|--|
| SETTLEMENT — <i>continued.</i> | £ s. d. |
| not, and if charged or chargeable on Lands or other Hereditaments or Heritable Subjects, whether to be raised at all events, or not), or any definite and certain Share or Shares in any of the Government or Parliamentary Stocks or Funds, or in the Stock and Funds of the Governor and Company of the Bank of England, or of the Bank of Ireland, or of the East India Company, or of the South Sea Company, shall be settled or agreed to be settled upon or for the Benefit of any Person or Persons, either in possession or reversion, either absolutely or conditionally or contingently, or for Life or other partial Interest, or in any other Manner whatsoever; | |
| If such Sum or Sums of Money, or the Value of such Share or Shares in all or any of the said Stocks or Funds, or both, shall not amount to 1,000 <i>l.</i> - - - - | 1 15 0 |
| And if the same shall amount to 1,000 <i>l.</i> and not amount to 2,000 <i>l.</i> - - - - | 2 0 0 |
| And if the same shall amount to 2,000 <i>l.</i> and not amount to 3,000 <i>l.</i> - - - - | 3 0 0 |
| And if the same shall amount to 3,000 <i>l.</i> and not amount to 4,000 <i>l.</i> - - - - | 4 0 0 |
| And if the same shall amount to 4,000 <i>l.</i> and not amount to 5,000 <i>l.</i> - - - - | 5 0 0 |
| And if the same shall amount to 5,000 <i>l.</i> and not amount to 7,000 <i>l.</i> - - - - | 7 0 0 |
| And if the same shall amount to 7,000 <i>l.</i> and not amount to 9,000 <i>l.</i> - - - - | 9 0 0 |
| And if the same shall amount to 9,000 <i>l.</i> and not amount to 12,000 <i>l.</i> - - - - | 12 0 0 |
| And if the same shall amount to 12,000 <i>l.</i> and not amount to 15,000 <i>l.</i> - - - - | 15 0 0 |
| And if the same shall amount to 15,000 <i>l.</i> and not amount to 20,000 <i>l.</i> - - - - | 20 0 0 |
| And if the same shall amount to 20,000 <i>l.</i> or upwards - - - - | 25 0 0 |
| And where any such Deed or Instrument as last mentioned, together with any Schedule, Receipt, or other Matter put or endorsed thereon or annexed thereto, shall contain 2,160 Words or upwards, then for every entire Quantity of 1,080 Words contained therein, over and above the first 1,080 Words, a further progressive Duty of - - - - | 1 5 0 |
| And for any Duplicate of any such Deed or Instrument as last mentioned - - - - | The same Duty or Duties. |
| WARRANT of ATTORNEY (with or without a Release of Errors) to confess and enter up a Judgment in any of Her Majesty's Courts at Westminster or in Ireland, or in any of the Courts of the Great Sessions in Wales, or of the Counties Palatine of Chester, Lancaster, and Durham, which shall be given as a Security for the Payment of any Sum or Sums of Money, or for the Transfer of any Share or Shares in any of the Government or Parliamentary Stocks or Funds, or in the Stock and Funds of the Governor and Company of the Bank of England, or of the Bank of Ireland, or of the East India Company, or of the South Sea Company - - - - | The same Duty as on a Bond for the like Purpose. |
| Save and except where such Payment or Transfer shall be already secured by a Bond, Mortgage, or other Security which shall have | |

| SCHEDULE (A.) | Duty. |
|---|---------|
| WARRANT OF ATTORNEY—<i>continued.</i> | £ s. d. |
| paid the ad valorem Duty on Bonds or Mortgages, and also except where the Warrant of Attorney shall be given for securing any Sum or Sums of Money for which the Person giving the same shall be in Custody under an Arrest, and in those Cases a Duty of - - - - - | 1 0 0 |
| WARRANT OF ATTORNEY not otherwise charged - - - | 1 0 0 |

STAMP DUTIES IN IRELAND.

LEASE, Release, or Deed, Minute, Memorandum, or legal or equitable Article or Instrument, by any Archbishop or Bishop or Ecclesiastical Corporation, aggregate or sole, for setting or demising Lands, Tenements, or Hereditaments in Ireland of the Estates of such Archbishop or Bishop or Corporation in right of their respective Sees, for any Term of Years only and absolute, not exceeding Twenty-one Years, in possession, without any Clause or Covenant for the Renewal thereof, on the First Skin or Piece of Vellum, Parchment, or Paper of each and every Part thereof;

Where the annual Amount of the Rent reserved or agreed to be reserved (any penal Rent, or any increased or reserved Rent in the Nature of a penal Rent, not being included in such Amount,) shall not exceed 10*l.*, and the Fine or Consideration for the same shall not exceed 100*l.* - - -

0 5 0

Where the Amount

| of such Rent | | | or | of such Fine or Consideration | | | |
|--------------|----------------------|-------|----|-------------------------------|----------------------|-------|--------|
| shall exceed | and shall not exceed | | | shall exceed | and shall not exceed | | |
| £ s. d. | £ | s. d. | | £ s. d. | £ | s. d. | |
| 10 0 0 | 20 | 0 0 | | 100 0 0 | 150 | 0 0 | 0 10 0 |
| 20 0 0 | 50 | 0 0 | | 150 0 0 | 200 | 0 0 | 0 15 0 |

And where there shall be both Rent and Fine, the Duty only to be paid in respect of such Rent or Fine as shall be liable to the higher Rate of Duty.

And for every Skin or Piece of Vellum or Parchment, or Sheet or Piece of Paper, in any such Indenture, Lease, Release, or Deed, Minute, Memorandum, or legal or equitable Article, after the First Skin or Sheet, a Duty of - - -

0 10 0

Provided always, that in any Case where the annual Amount of such Rent reserved shall exceed 50*l.*, or such Fine or Consideration shall exceed 200*l.*, such Lease, Release, or Deed, Minute, Memorandum, or legal or equitable Article or Instrument, shall be chargeable with the Duty or Duties specified in the Schedule of the Act 55 Geo. 3. c. 184.

| SCHEDULE (A.) | | | | Duty. |
|--|----------------------|----------------------------------|----------------------|---------|
| LEASE, Release, or Deed, Minute, Memorandum, or legal or equitable Article or Instrument, not otherwise charged, for setting or demising Lands, Tenements, or Hereditaments in Ireland for any Term not exceeding Three Lives or Thirty-one Years, whether with or without a Clause or Covenant for the Renewal thereof, or with a Clause or Covenant of Renewal which shall contain any Stipulation for the Payment of any pecuniary Fine in any way howsoever, on the First Skin or Piece of Vellum, Parchment, or Paper of each and every Part thereof; | | | | £ s. d. |
| Where the annual Amount of the Rent reserved or agreed to be reserved (any penal Rent, or any increased or reserved Rent in the Nature of a penal Rent, not being included in such Amount,) shall not exceed 10%, and the Fine or Consideration for the same shall not exceed 100%. | | | | 0 5 0 |
| Where the Amount | | | | |
| of such Rent | | or of such Fine or Consideration | | |
| shall exceed | and shall not exceed | shall exceed | and shall not exceed | |
| £ s. d. | £ s. d. | £ s. d. | £ s. d. | |
| 10 0 0 | 20 0 0 | 100 0 0 | 150 0 0 | 0 10 0 |
| 20 0 0 | 50 0 0 | 150 0 0 | 200 0 0 | 0 15 0 |
| And where there shall be both Rent and Fine, Duty to be paid in respect of each, which may be denoted by either One or more Stamps; | | | | |
| And for every Skin or Piece of Vellum or Parchment, or Sheet or Piece of Paper, in any such Indenture, Lease, Release, or Deed, Minute, Memorandum, or legal or equitable Article, after the First Skin or Sheet, a Duty of | | | | 0 10 0 |
| Provided always, that in any Case where the annual Amount of such Rent reserved shall exceed 50%, or such Fine or Consideration shall exceed 200%, such Lease, Release, or Deed, Minute, Memorandum, or legal or equitable Article or Instrument, shall be chargeable with the Duty or Duties specified in the Schedule of the Act 55 Geo. 3. c. 184. | | | | |
| LEASE executed according to any of the Forms and pursuant to the Directions contained in the Schedule of the Act 9 & 10 Vict. c. 112., or according to the Form and pursuant to the Provisions contained in the Act 8 & 9 Vict. c. 124. | | | | 0 1 0 |
| And on the Counterpart of any such Lease | | | | 0 1 0 |

SCHE-

SCHEDULE (B.)

CONTAINING

THE DUTIES GRANTED BY THIS ACT.

| SCHEDULE (B.) | Duty. |
|---|--|
| BOND in England or Ireland, and Personal Bond in Scotland, given as a Security for the Payment of any definite and certain Sum of Money: | £ s. d. |
| Not exceeding 50 <i>l.</i> - - - - - | 0 5 0 |
| Exceeding 50 <i>l.</i> and not exceeding 100 <i>l.</i> - - - - - | 0 10 0 |
| And where the same shall exceed 100 <i>l.</i> , then for every 100 <i>l.</i> and also for any fractional Part of 100 <i>l.</i> - - - - - | 0 10 0 |
| BOND in England or Ireland, and Personal Bond in Scotland, given as a Security for the Repayment of any Sum or Sums of Money to be there-after lent, advanced, or paid, or which may become due upon an Account Current, together with any Sum already advanced or due, or without, as the Case may be; | |
| Where the Money secured or to be ultimately recoverable there-upon shall be limited not to exceed a given Sum - - - - - | The same Duty as on a Bond for such limited Sum. |
| And where the total Amount of the Money secured or to be ultimately recoverable thereupon shall be uncertain, and without any Limit - - - - - | The same Duty as on a Bond for a Sum equal to the Amount of the Penalty of such Bond. |
| BOND in England or Ireland, and Personal Bond in Scotland, given as a Security for the Transfer or Re-transfer of any Share in any of the Government or Parliamentary Stocks or Funds in any Part of the United Kingdom, or in the Stock and Funds of the Governor and Company of the Bank of England, or of the Bank of Ireland, or of the East India Company, or of the South Sea Company, or of any other Company or Corporation - - - - - | The same ad valorem Duty as on a Bond for a Sum of Money equal to the Value of the Stock or Fund secured, according to the average Price thereof on the Day of the Date of the Bond, or on either of the Ten Days preceding, or if there shall not have been any known Sale on any of such Days, then on the latest Day preceding on which there shall have been a known Sale. |
| Heritable BOND in Scotland for any of the Purposes aforesaid.—See MORTGAGE. | |
| BOND in England or Ireland, and Personal Bond in Scotland, given as a Security for the Payment of any Sum of Money, or for the Transfer or Re-transfer of any Share in any of the Stocks or Funds before mentioned, which shall be secured also by a Mortgage or Wadset, or other Instrument or Writing herein-after charged with and which shall have paid the same Duty as a Mortgage or Wadset, or for the Performance of Covenants contained in such Mortgage or other Instrument or Writing, or for both those Purposes, provided such Mortgage, Wadset, or | |

| SCHEDULE (B.) | Duty. |
|--|--|
| BOND —continued. ,
other Instrument or Writing shall bear even Date with and be referred to in such Bond; | £ s. d. |
| Where the Sum of Money or the Value of the Stock or Funds secured shall not exceed 200 <i>l</i> . - - - - - | The same ad valorem Duty as on a Mortgage or Wadset for securing the like Amount or Value.
1 0 0 |
| And where such Sum of Money or Value shall exceed 200 <i>l</i> . - | |
| BOND in England or Ireland, or Personal or Heritable Bond in Scotland, given as an additional or further Security for the Payment of any Sum or Sums of Money, or for the Transfer or Re-transfer of any Share in any of the Stocks or Funds before mentioned, previously secured by a Bond, Mortgage, or other Security therein referred to, and which shall have paid the proper ad valorem Duty on Bonds or Mortgages imposed by Law at the Date thereof;
Where the Sum of Money or the Value of the Stock or Funds secured shall not exceed 300 <i>l</i> . - - - - - | The same ad valorem Duty as on a Bond or Mortgage for securing the like Sum or Value.
1 15 0 |
| And where such Sum of Money or the Value of the Stock or Funds secured shall exceed 300 <i>l</i> . - - - - - | |
| BOND in England or Ireland, and Personal or Heritable Bond in Scotland, given as the only or principal Security for the Payment of any Annuity upon the original Creation and Sale thereof - - - - - | The same ad valorem Duty as on a Conveyance upon Sale in consideration of the Sum or Value given or agreed to be given for the Purchase of such Annuity. |
| For the Duty payable, see CONVEYANCE upon the Sale of Property. | |
| BOND in England or Ireland, and Personal Bond in Scotland, given as a collateral or auxiliary Security for the Payment of any Annuity upon the original Creation and Sale thereof, where the same shall be granted or conveyed or secured by any other Deed or Instrument liable to and charged with the ad valorem Duty herein-after imposed on Conveyances upon the Sale of any Property;
Where such ad valorem Duty shall not exceed 20 <i>s</i> . such Bond shall be chargeable with a Stamp Duty of equal Amount with the said ad valorem Duty. | 1 0 0 |
| And where such ad valorem Duty shall exceed 20 <i>s</i> . such Bond shall be chargeable with the Duty of - - - - - | |
| BOND in England or Ireland, and Personal or Heritable Bond in Scotland, (not herein-before charged with the same ad valorem Duty as on a Conveyance upon Sale,) given as a Security for the Payment of any Annuity, or of any Sum or Sums of Money at stated Periods (not being Interest for any Principal Sum, nor Rent reserved or payable upon any Lease or Tack), for any definite and certain Term, so that the total Amount of the Money to be paid can be previously ascertained - - - | The same ad valorem Duty as on a Bond of the like Nature for the Payment of a Sum of Money equal to such total Amount. |
| BOND in England or Ireland, and Personal or Heritable Bond or other Heritable or Real Security in Scotland, (not herein-before charged with the same ad valorem Duty as on a Conveyance upon Sale,) given as a Security for the Payment of any Annuity, or of any Sum or Sums of Money at stated Periods (not being Interest for any Principal Sum, nor | |

| SCHEDULE (B.) | Duty. |
|---|---------|
| BOND —continued. | £ s. d. |
| Rent reserved or payable upon any Lease or Tack), for the Term of Life or any other indefinite Period, so that the whole Money to be paid cannot be previously ascertained; | |
| Where the Annuity or Sum secured shall not exceed 50 <i>l.</i> per Annum - - - - - | 1 0 0 |
| And where the same shall exceed 50 <i>l.</i> and not exceed 100 <i>l.</i> per Annum - - - - - | 2 0 0 |
| And where the same shall exceed 100 <i>l.</i> per Annum, then for every 100 <i>l.</i> per Annum and also for any fractional Part of 100 <i>l.</i> per Annum - - - - - | 2 0 0 |
| But where there shall be both a Personal and Heritable Bond or other Heritable or Real Security in Scotland in separate Deeds for securing any such Annuity or Sums payable at stated Periods, and the ad valorem Duty above charged thereon shall amount to 2 <i>l.</i> or upwards, the Heritable Bond or other Heritable or Real Security only shall be charged with the ad valorem Duty, and the Personal Bond shall be charged only with a Duty of - - - - - | 1 0 0 |
| And where any such Bond as aforesaid, together with any Schedule, Receipt, or other Matter put or indorsed thereon or annexed thereto, shall contain 2,160 Words or upwards, then for every entire Quantity of 1,080 Words contained therein, over and above the first 1,080 Words, there shall be charged the further progressive Duty following; (that is to say,) Where such Bond shall be chargeable with an ad valorem Stamp Duty or Duties not exceeding in the whole the Sum of 20 <i>s.</i> , a further progressive Duty equal to the Amount of such ad valorem Duty or Duties. | |
| And in all other Cases a further progressive Duty of - | 1 5 0 |
| CONVEYANCE , whether Grant, Disposition, Lease, Assignment, Transfer, Release, Renunciation, or of any other Kind or Description whatsoever, upon the Sale of any Lands, Tenements, Rents, Annuities, or other Property, real or personal, heritable or moveable, or of any Right, Title, Interest, or Claim in, to, out of, or upon any Lands, Tenements, Rents, Annuities, or other Property, that is to say, for and in respect of the principal or only Deed, Instrument, or Writing whereby the Lands or other Things sold shall be granted, leased, assigned, transferred, released, renounced, or otherwise conveyed to or vested in the Purchaser or Purchasers, or any other Person or Persons by his, her, or their Direction; | |
| Where the Purchase or Consideration Money therein or thereupon expressed shall not exceed 25 <i>l.</i> - - - - - | 0 2 6 |
| And where the same shall exceed 25 <i>l.</i> and not exceed 50 <i>l.</i> - - - - - | 0 5 0 |
| And where the same shall exceed 50 <i>l.</i> and not exceed 75 <i>l.</i> - - - - - | 0 7 6 |
| And where the same shall exceed 75 <i>l.</i> and not exceed 100 <i>l.</i> - - - - - | 0 10 0 |
| And where the same shall exceed 100 <i>l.</i> and not exceed 125 <i>l.</i> - - - - - | 0 12 6 |
| And where the same shall exceed 125 <i>l.</i> and not exceed 150 <i>l.</i> - - - - - | 0 15 0 |
| And where the same shall exceed 150 <i>l.</i> and not exceed 175 <i>l.</i> - - - - - | 0 17 6 |
| And where the same shall exceed 175 <i>l.</i> and not exceed 200 <i>l.</i> - - - - - | 1 0 0 |
| And where the same shall exceed 200 <i>l.</i> and not exceed 250 <i>l.</i> - - - - - | 1 5 0 |
| And where the same shall exceed 250 <i>l.</i> and not exceed 300 <i>l.</i> - - - - - | 1 10 0 |
| And where the same shall exceed 300 <i>l.</i> and not exceed 350 <i>l.</i> - - - - - | 1 15 0 |
| And where the same shall exceed 350 <i>l.</i> and not exceed 400 <i>l.</i> - - - - - | 2 0 0 |

210.

| SCHEDULE (B.) | Duty. |
|---|---------|
| CONVEYANCE — continued. | £ s. d. |
| And where the same shall exceed 400 <i>l.</i> and not exceed 450 <i>l.</i> - | 2 5 0 |
| And where the same shall exceed 450 <i>l.</i> and not exceed 500 <i>l.</i> - | 2 10 0 |
| And where the Consideration shall exceed 500 <i>l.</i> and shall not exceed 1,000 <i>l.</i> , then for every 100 <i>l.</i> and also for any fractional Part of 100 <i>l.</i> - | 0 15 0 |
| And where the Consideration shall exceed 1,000 <i>l.</i> , then for every 100 <i>l.</i> and also for any fractional Part of 100 <i>l.</i> - | 1 0 0 |
| And it is hereby directed, that the Purchase Money or Consideration shall be truly expressed and set forth in Words at Length in or upon every such principal or only Deed or Instrument of Conveyance; and where such Consideration shall consist either wholly or in part of any Annuity, Rent, or yearly Sum, or of any Stock or Security, the Value thereof respectively, to be ascertained as herein-after mentioned, shall also be truly expressed and set forth in manner aforesaid in or upon every such Deed or Instrument. | |
| And where any such Conveyance as aforesaid shall be made in consideration wholly or in part of any Annuity, Rent, or yearly Sum to be afterwards borne or paid by the Purchaser, the Value of such Annuity, Rent, or yearly Sum shall be ascertained in the Manner herein-after mentioned; and such Value shall be deemed and taken to be the Purchase or Consideration Money, or Part of the Purchase or Consideration Money, as the Case may be, in respect whereof the <i>ad valorem</i> Duty shall be charged as aforesaid: Provided always, that nothing herein contained shall be construed to charge any such <i>ad valorem</i> Duty in respect of the Rent reserved on any Lease or Tack charged with Duty in respect thereof under the Title LEASE in this Schedule, nor in respect of any Quit or Chief Rent which may be issuing out of any Lands or Estates sold, or, if the same shall be situated in Scotland, any Feu Duty or other Payment, Service, or Prestation which may be exigible by the immediate Superior thereof, or with which the Property may have been effectually burdened, in pursuance of any preceding Investiture, or in respect of Land Tax, Tithes, or any other public or parochial Burdens, or any Rent or annual Payment for Land Tax redeemed, or for Exoneration from Tithes, or in respect of any Copyhold Rents, or Services for any Copyhold Tenements sold, or to charge with any such <i>ad valorem</i> Duty Assignments or Transfers of Leases or Tacks or of Under-leases in respect of the Rents originally reserved, or Prestations or Services stipulated in the Leases or Tacks or Under-leases thereby assigned or transferred. | |
| And it is hereby declared, that the Value of such Annuity, Rent, or yearly Sum as aforesaid shall be ascertained according to the Tables annexed to the Act 36 G. 3. c. 52. for the Valuation of Legacies given by way of Annuity in all Cases to which such Tables shall be applicable; and in Cases where the Term either for Lives or Years for which any such Annuity, Rent, or yearly Payment may be granted shall exceed in either Case the Duration of the Terms calculated by such Tables, then the highest Value given according to such Tables, either for Lives or Years, as the Case may be, shall | |

| SCHEDULE (B.) | Duty. |
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| CONVEYANCE—continued. | £ s. d. |
| <p>be deemed and taken as the Value of such Annuity, Rent, or yearly Sum ; and in all Cases where the Term either for a Life or Lives or Years for which any such Annuity, Rent, or yearly Payment may be granted shall be subject to any Contingency which may defeat the Payment thereof, then the Value given according to such Tables of a Term either for such Life or Lives or for Years, as the Case may be, not subject to any Contingency, shall be deemed and taken as the Value of such Annuity, Rent, or yearly Sum ; and in all Cases in which such Annuity, Rent, or yearly Sum shall be in Fee Simple or in Perpetuity, the same shall be valued at and after the Rate of Twenty-five Years Purchase thereon.</p> <p>And for the Counterpart or Duplicate of any such Conveyance as aforesaid which shall be made in consideration wholly of any such Annuity, Rent, or yearly Sum as aforesaid - - - - -</p> | 0 2 6 |
| <p>And where the Consideration or any Part of the Consideration shall be any Stock in any of the Public Funds, or any Government Debenture or Stock of the Bank of England or Bank of Ireland, or any Debenture or Stock of any Corporation, Company, Society, or Persons or Person, payable only at the Will of the Debtor, then the said Duty shall be calculated (taking the same respectively, whether constituting the whole or a Part only of such Consideration,) according to the average selling Price thereof respectively on the Day or on either of the Ten Days preceding the Day of the Date of the Deed or Instrument of Conveyance, or if no Sale shall have taken place within such Ten Days, then according to the average selling Price thereof on the Day of the last preceding Sale ; and if such Consideration or Part of such Consideration shall be a Mortgage, Judgment, or Bond, or a Debenture, the Amount whereof shall be recoverable by the Holder, or any other Security whatsoever, whether payable in Money or otherwise, then such Calculation shall be made according to the Sum due thereon for both Principal and Interest.</p> | |
| <p>And where the Principal or only Deed or Instrument of Conveyance, together with any Schedule, Receipt, or other Matter put or endorsed thereon or annexed thereto, shall contain 2,160 Words or upwards, then for entire Quantity of 1,080 Words contained therein, over and above the first 1,080 Words, there shall be charged the further progressive Duty following ; (that is to say,)</p> | |
| <p>Where such Deed or Instrument shall be chargeable with any ad valorem Stamp Duty or Duties not exceeding in the whole the Sum of 20s., a further progressive Duty equal to the Amount of such ad valorem Duty or Duties ;</p> | |
| <p>And in all other Cases a further progressive Duty of - - - - -</p> | 1 0 0 |

| SCHEDULE (B.) | Duty. |
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| <p>COPYHOLD ESTATES and Customary Estates passing by Surrender and Admittance, or by Admittance only, and not by Deed: INSTRUMENTS relating thereto upon the Sale or Mortgage of any such Estates; (that is to say,)</p> <p>Any ADMITTANCE out of Court, or the Memorandum thereof, or the Copy of Court Roll of any Admittance in Court:</p> <p>Where the Surrender or Voluntary Grant, or the Memorandum thereof respectively, if made out of Court, or the Copy of Court Roll of the Surrender or Voluntary Grant, if made in Court, shall be chargeable with ad valorem Stamp Duty not exceeding 20s., under the Head of CONVEYANCE or MORTGAGE in this Schedule, such Admittance, or the Memorandum or Copy of Court Roll thereof as aforesaid, shall be chargeable with - - - - -</p> <p>And in all other Cases - - - - -</p> <p>Provided always, that where the clear yearly Value of the Estate shall not exceed 20s., no higher Stamp Duty than 5s. shall be chargeable upon any such Admittance, or the Memorandum or Copy of Court Roll thereof as aforesaid.</p> <p>And where any such Admittance, or the Memorandum or Copy of Court Roll thereof as aforesaid, together with any Schedule, Receipt, or other Matter put or endorsed thereon, or annexed thereto, shall contain 2,160 Words or upwards, then for every entire Quantity of 1,080 Words contained therein, over and above the first 1,080 Words, a further progressive Duty of the like Amount herein-before charged on such Admittance, or the Memorandum or Copy of Court Roll thereof respectively as aforesaid.</p> | <p>A Duty equal to the ad valorem Stamp Duty, chargeable on such Surrender, Voluntary Grant, Memorandum, or Copy of Court Roll respectively.</p> <p>1 0 0</p> |
| <p>COVENANT.—Any Deed containing a Covenant for the Payment or Repayment of any Sum or Sums of Money, or for the Payment of any Annuity, or for the Transfer or Re-transfer of any Share or Shares in the Government or Parliamentary Stocks or Funds, or in the Stock and Funds of the Governor and Company of the Bank of England, or of the Bank of Ireland, or of the East India Company, or of the South Sea Company, or of any other Company or Corporation, in any Case where a Bond if given for the like Purpose would be chargeable under this Schedule with any ad valorem Duty exceeding in Amount the Sum of 1<i>l.</i> 15s. - - - - -</p> <p>For the Duty thereon, see BOND.</p> <p>Provided always, that where any Covenant shall be made as an additional or further Security for the Payment or Repayment, Transfer or Re-transfer of any Sum or Sums of Money, or any Share or Shares in any of the said Stocks or Funds, at the same Time or already or previously secured by any Bond or other Instrument mentioned and referred to by the Deed containing such Covenant, and chargeable with and which shall have paid the proper ad valorem Duty under the Head of BOND or MORTGAGE respectively in this Schedule, or under any Act or Acts in force at the Date thereof, in respect of the same Sum or Sums, Share or Shares, the said ad valorem Duty hereby charged shall not be payable upon or in respect of such Covenant; and if required for the sake of Evidence the Deed containing such Covenant shall, on the same and such Bond or other Instrument being produced</p> | <p>The same ad valorem Duty as on a Bond for the like Purpose.</p> |

| SCHEDULE (B.) | Duty. |
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| <p>COVENANT — continued.</p> <p>duly stamped in other respects, be stamped with a particular Stamp for denoting or testifying the Payment of the ad valorem Duty hereby charged.</p> <p>EXEMPTION from the preceding ad valorem Duty, but not from any other Duty to which the same may be liable.</p> <p>Any Covenant contained in any Deed chargeable with any Duty under the Head of MORTGAGE in this Schedule, or in any Deed exempted from the ad valorem Duty on Mortgages by the Act 3 Geo. 4. c. 117., such Deeds hereby exempted operating as a Security by way of Mortgage, or as a Transfer, Assignment, Disposition, or Assignation, herein-after charged, for the same Sum or Sums of Money, or Share or Shares in any of the said Stocks or Funds, which is or are the Subject of such Covenant.</p> <p>Also any Covenant contained in any Deed chargeable with any Duty under the Head of SETTLEMENT in this Schedule, in respect of the same Sum or Sums of Money, or Share or Shares in any of the said Stocks or Funds, which is or are the Subject of such Covenant.</p> | <p>£ s. d.</p> |
| <p>LEASE or TACK, or Agreement for a Lease or Tack, or for the letting or setting of any Lands, Tenements, Hereditaments, or Heritable Subjects, for any Consideration by way of Fine, Premium, or Grassum paid or given for the same, without any yearly Rent</p> | <p>The same Duty as for a Conveyance on the Sale of Property for the like Consideration.</p> |
| <p>LEASE or TACK, or Agreement for a Lease or Tack, or for the letting or setting of any Lands, Tenements, Hereditaments, or Heritable Subjects at a yearly Rent, without any Consideration by way of Fine, Premium, or Grassum paid or given for the same;</p> <p>Where the yearly Rent shall not exceed 5<i>l</i>. - - - - -</p> <p>And where the same shall exceed 5<i>l</i>. and shall not exceed 10<i>l</i>. - - - - -</p> <p>And where the same shall exceed 10<i>l</i>. and shall not exceed 15<i>l</i>. - - - - -</p> <p>And where the same shall exceed 15<i>l</i>. and shall not exceed 20<i>l</i>. - - - - -</p> <p>And where the same shall exceed 20<i>l</i>. and shall not exceed 25<i>l</i>. - - - - -</p> <p>And where the same shall exceed 25<i>l</i>. and not exceed 50<i>l</i>. - - - - -</p> <p>And where the same shall exceed 50<i>l</i>. and not exceed 75<i>l</i>. - - - - -</p> <p>And where the same shall exceed 75<i>l</i>. and not exceed 100<i>l</i>. - - - - -</p> <p>And where the same shall exceed 100<i>l</i>. then for every 50<i>l</i>. and also for any fractional Part of 50<i>l</i>. - - - - -</p> | <p>0 0 6</p> <p>0 1 0</p> <p>0 1 6</p> <p>0 2 0</p> <p>0 2 6</p> <p>0 5 0</p> <p>0 7 6</p> <p>0 10 0</p> <p>0 5 0</p> |
| <p>LEASE or TACK, or Agreement for a Lease or Tack, or for the letting or setting of any Lands, Tenements, Hereditaments, or Heritable Subjects, for any Consideration by way of Fine, Premium, or Grassum, and also of a yearly Rent</p> | <p>Both the ad valorem Duties payable for a Lease in consideration of a Fine only and for a Lease in consideration of a Rent only of the same Amount.</p> |
| <p>LEASE or TACK, or Agreement for a Lease or Tack, for the letting or setting of any Mine or Minerals or other Property of a like Nature, either with or without any other Lands, Tenements, Hereditaments, or Heritable Subjects, where any Portion of the Produce of such Mines or Minerals shall be reserved to be paid in Money or Kind;</p> <p>If it shall be stipulated that the Value of such Portion of the Produce shall amount at least to a given Sum per Annum, or if</p> | |

| SCHEDULE (B.) | Duty. |
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| <p>LEASE—continued.</p> <p>such Value shall be limited not to exceed a given Sum per Annum, to be specified in such Lease, Tack, or Agreement, then the said ad valorem Duty on Leases shall be charged in respect of the highest of such Sums so given or limited for any Year during the Term of such Lease, Tack, or Agreement.</p> <p>And where any yearly Sum shall be reserved in addition to or together with such Produce, relative to the yearly Amount or Value of which Produce there shall be no such Stipulation or Limitation as aforesaid, the said valorem Duty shall be charged in respect of such yearly Sum.</p> <p>And where both a certain yearly Sum and also such Produce relative to the yearly Amount or Value of which there shall be such Stipulation or Limitation as aforesaid shall be reserved, the said ad valorem Duty shall be charged on the aggregate of such yearly Sum and also of the highest yearly Amount or Value of such Produce.</p> <p>And where, in any of the Cases aforesaid, any Fine, Premium, or Grassum, or any Rent, payable under any Lease or Tack, or Agreement for a Lease or Tack, shall consist wholly or in part of Corn, Grain, or Victual, the Value of such Corn, Grain, or Victual shall be ascertained or estimated at and after any permanent Rate of Conversion which the Lessee may be specially charged with, or have it in his Option to pay; and if no such permanent Rate of Conversion shall have been stipulated, at and after the Prices, upon an Average of Twelve Months preceding the First Day of January next before the Date of such Lease or Tack, or Agreement for a Lease or Tack, of the average Prices of British Corn published in the London Gazette in the Manner directed by any Act in force for the Commutation of Tithes in England and Wales; and such respective Values shall be deemed and taken to be the Fine, Premium, or Grassum, or yearly Rent, or Part thereof respectively, as the Case may be, in respect whereof the ad valorem Duty shall be charged as aforesaid.</p> <p>And where separate and distinct Fines, Premiums, or Grassums shall be paid to several Lessors, being Joint Tenants, Tenants in Common, or Coparceners, in England or Ireland, or Proprietors pro indiviso in Scotland, who shall by one and the same Deed or Instrument jointly or severally demise or lease, or agree to demise or lease, the Lands, Tenements, Hereditaments, or Heritable Subjects of which they are such Joint Tenants, Tenants in Common, or Coparceners, in England or Ireland, or Proprietors pro indiviso in Scotland, or where separate and distinct Rents shall be by one and the same Deed or Instrument reserved or made payable, or agreed to be reserved or made payable, to the Lessor or to several Lessors, being such Joint Tenants, Tenants in Common, or Coparceners, in England or Ireland, or Proprietors pro indiviso in Scotland, the ad valorem Duties shall be charged in respect of the aggregate Amount of such Fines, Premiums, or Grassums, and of such Rents respectively.</p> | <p>£ s. d.</p> |

| SCHEDULE (B.) | Duty. |
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| LEASE—continued. | £ s. d. |
| <p>And where any Person, having contracted for, but not having obtained, a Lease of any Lands or other Property, shall contract to sell such Lands or other Property, or any Part thereof, or his Right or Interest therein or thereto, to any other Person, and a Lease shall accordingly be granted to such other Person, the Purchase Money or Consideration which shall be paid or given or agreed to be paid or given to the Person immediately selling to such Lessee shall be set forth in such Lease, and such Lease shall be charged as well with the said ad valorem Duty on such Purchase Money or Consideration as with the Duty on the Purchase Money or Consideration or Rent paid or reserved to the Lessor.</p> | |
| <p>LEASE or TACK, or Agreement for a Lease or Tack, of any Kind, not otherwise charged in this Schedule - - - -</p> | 1 15 0 |
| <p>LEASE.—For the Counterpart or Duplicate of any Lease or Tack or Agreement hereby charged with a Duty not exceeding 35s. - - - -</p> | <p>The like Duty as on the Lease or Tack or Agreement.</p> |
| <p>And for the Counterpart or Duplicate of any other such Lease or Tack or Agreement whatsoever - - - -</p> | 1 15 0 |
| <p>Provided, that where any Lease or Tack shall be made in pursuance of a previous Agreement which shall have paid the ad valorem Duty chargeable by Law at the Date thereof, amounting to 1<i>l</i>. or upwards, such Lease or Tack shall be only chargeable with a Duty of 1<i>l</i>., and on Production of such Lease or Tack and Agreement duly stamped and executed, the said Lease or Tack shall also be stamped with a particular Stamp for denoting the Payment of the said ad valorem Duty.</p> | |
| <p>Provided also, that no ad valorem Duty shall be chargeable in respect of any penal Rent, or increased Rent in the Nature of a penal Rent, reserved in any such Lease, Tack, or Agreement as aforesaid.</p> | |
| <p>And where any such Lease or Tack or Agreement, Counterpart or Duplicate as aforesaid, together with any Schedule, Receipt, or other Matter put or endorsed thereon or annexed thereto, shall contain 2,160 Words or upwards, then for every entire Quantity of 1,080 Words contained therein, over and above the first 1,080 Words, there shall be charged the further progressive Duty following; (that is to say,)</p> | |
| <p>Where such Lease, Tack, Agreement, Counterpart, or Duplicate as aforesaid shall be chargeable with any ad valorem Stamp Duty or Duties not exceeding in the whole the Sum of 20<i>s</i>., a further progressive Duty equal to the Amount of such ad valorem Duty or Duties.</p> | |
| <p>And in all other Cases a further progressive Duty of - - - -</p> | 1 0 0 |

| SCHEDULE (B.) | Duty. |
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| MEMORIAL to be registered pursuant to any Act of Parliament made or to be made for the public registering of Deeds and Conveyances in England or Ireland; (that is to say,) | £ s. d. |
| For every Piece of Vellum, Parchment, or Paper upon which any such Memorial shall be written : | |
| Where in the Case of the Sale, Lease, or Mortgage of any Lands, Tenements, or Hereditaments, the ad valorem Stamp Duty chargeable under this Schedule on the Deed or Instrument of Conveyance, Lease, or Mortgage to be registered by any such Memorial shall not exceed 10s. - - - - - | A Duty equal to the ad valorem Stamp Duty chargeable on such Deed or Instrument. |
| And in every other Case and upon every other Occasion - | 0 10 0 |
| MORTGAGE, Conditional Surrender by way of Mortgage, Further Charge, Wadset, and Heritable Bond, Disposition, Assignment, or Tack in Security, and Eik to a Reversion, of or affecting any Lands, Estate, or Property, real or personal, heritable or moveable whatsoever : | |
| Also any Deed containing an Obligation to infest any Person in any Annual Rent, or in Lands or other Heritable Subjects, in Scotland, under a Clause of Reversion, but without any Personal Bond or Obligation therein contained for Payment of the Money or Stock intended to be secured : | |
| Also any Conveyance of any Lands, Estate, or Property whatsoever, in trust to be sold or otherwise converted into Money, which shall be intended only as a Security, and shall be redeemable before the Sale or other Disposal thereof, either by express Stipulation or otherwise, except where such Conveyance shall be made for the Benefit of Creditors generally, or for the Benefit of Creditors specified, who shall accept the Provision made for Payment of their Debts in full Satisfaction thereof, or who shall exceed Five in Number : | |
| Also any Defeasance, Letter of Reversion, Back Bond, Declaration, or other Deed or Writing for defeating or making redeemable or explaining or qualifying any Conveyance, Disposition, Assignment, or Tack of any Lands, Estate, or Property whatsoever, which shall be apparently absolute, but intended only as a Security : | |
| Also any Agreement, Contract, or Bond, accompanied with a Deposit of Title Deeds for making a Mortgage, Wadset, or any such other Security or Conveyance as aforesaid of any Lands, Estate, or Property comprised in such Title Deeds, or for pledging or charging the same as a Security : | |
| And also any Deed whereby a Real Burden shall be declared or created on Lands or Heritable Subjects in Scotland : | |
| Where the same respectively shall be made as a Security for the Payment of any definite and certain Sum of Money advanced or lent at the Time, or previously due and owing, or forborne to be paid, being payable, | |
| Nor exceeding 50 <i>l.</i> - - - - - | 0 5 0 |
| Exceeding 50 <i>l.</i> and not exceeding 100 <i>l.</i> - - - | 0 10 0 |
| And where the same shall exceed 100 <i>l.</i> , then for every 100 <i>l.</i> and also for any fractional Part of 100 <i>l.</i> - - - | 0 10 0 |

| SCHEDULE (B.) | Duty. |
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| <p>MORTGAGE—continued.</p> <p>And where the same respectively shall be made as a Security for the Repayment of Money to be thereafter lent, advanced, or paid, or which may become due upon an Account Current, together with any Sum already advanced or due, or without, as the Case may be, other than and except any Sum or Sums of Money to be advanced for the Insurance of any Property comprised in such Mortgage or Security against Damage by Fire, or for the Insurance of any Life or Lives, pursuant to any Agreement in any Deed whereby any Annuity shall be granted or secured for such Life or Lives;</p> <p>If the total Amount of the Money secured or to be ultimately recoverable thereupon shall be limited not to exceed a given Sum - - - - -</p> <p>If the total Amount of the Money secured or to be ultimately recoverable thereupon shall be uncertain and without any Limit, then the same shall be available as a Security or Charge for such an Amount only of Money or Stock intended to be thereby secured as the ad valorem Duty denoted by any Stamp or Stamps thereon will extend to cover.</p> <p>And where the same respectively shall be made as a Security for the Transfer or Re-transfer of any Share in any of the Government or Parliamentary Stocks or Funds, or in the Stock and Funds of the Governor and Company of the Bank of England, or of the Bank of Ireland, or of the East India Company, or of the South Sea Company, or of any other Company or Corporation, in consideration of Stock or Money advanced or lent at the Time, or previously due and owing, or forborne to be paid, being payable - - -</p> <p>MORTGAGE.—And where any such Deed or Instrument as aforesaid shall be made respectively as a Security for the Payment of any Rent-charge or Annuity, or any Sum or Sums of Money by way of Repayment, or in Satisfaction or Discharge, or in Redemption of any Sum of Money lent, advanced, or paid, as or for or in the Nature of a Loan intended to be repaid, satisfied, discharged, or redeemed, in manner aforesaid - - - - -</p> <p>MORTGAGE.—Any Transfer or Assignment, Disposition, Assignment, or Re-conveyance of any Mortgage or Wadset, or of any such other Security as aforesaid, or of the Benefit thereof, or of the Money or Stock thereby secured;</p> <p>Where no further Sum of Money or Stock shall be added to the Principal Money or Stock already secured,</p> <p>If such Principal Money or Stock already secured shall not exceed in Amount or Value in the whole the Sum of 300<i>l.</i> -</p> | <p>£ s. d.</p> <p>The same Duty as on a Mortgage or Wadset for such limited Sum.</p> <p>The same Duty as on a Mortgage or Wadset for a Sum of Money equal to the Value of the Stock or Fund secured according to the average Price thereof on the Day of the Date of the Mortgage or other Instrument aforesaid, or on either of the Ten Days preceding, or if there shall not have been any known Sale on any of such Days, then on the latest Day preceding on which there shall have been a known Sale.</p> <p>The same Duty as on a Mortgage or Wadset for the Sum of Money so lent, advanced, or paid.</p> <p>The same Duty as on a Mortgage or Wadset for the total Amount or Value of such Principal Money or Stock.</p> |

| SCHEDULE (B.) | Duty. |
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| MORTGAGE —continued. | £ s. d. |
| And if such Principal Money or Stock shall exceed in Amount or Value in the whole the Sum of 300 <i>l</i> . - - - } | 1 15 0 |
| And where any further Sum of Money or Stock shall be added to the Principal Money or Stock already secured - } | The same Duty as on a Mortgage or Wadset for such further Money or Stock only. |
| And in every other Case not herein-before expressly provided for, such Transfer, Assignment, Disposition, Assignment, or Reconveyance shall be chargeable with the Duty of - - - } | 1 15 0 |
| Provided always, that no such Deed or Instrument as aforesaid shall in any of the said several Cases be chargeable with any further or additional Duty other than as herein is expressly provided (except progressive Duty), by reason of its containing any Covenant by the original Mortgagor, or any Person claiming under him, or any Person having any Estate or Interest in the Property charged, for Payment or Transfer or Re-transfer of the Money or Stock thereby secured, or a new Proviso for Redemption, or a Power of Sale, or all or any of such Matters. | |
| MORTGAGE. —Any Deed or Instrument made for the further Assurance only of any Estate or Property which shall have been already mortgaged, pledged, or charged as a Security, by any Deed or Instrument which shall have paid the ad valorem Duty on Mortgages or Bonds chargeable under any Act or Acts in force at the Time of making such last-mentioned Deed or Instrument. | |
| Also any Deed or Instrument made as an additional or further Security for any Sum or Sums of Money, or any Share or Shares of any of the Stocks or Funds before mentioned, which shall have been already secured by any Deed or Instrument which shall have paid the said ad valorem Duty on Mortgages or Bonds chargeable as aforesaid, shall be chargeable respectively with the following Duties; (that is to say,) | |
| Where the total Amount or Value of the Money or Stock already secured, and in respect whereof the said ad valorem Duty shall have been paid, shall not exceed the Sum of 300 <i>l</i> . - } | The same Duty as on a Mortgage or Wadset for the Amount or Value of the said Money or Stock. |
| And in any other Case - - - - - } | 1 15 0 |
| Provided always, that if any further Sum of Money or Stock shall be added to the Principal Money or Stock already secured, such Deed or Instrument for further Assurance, or additional or further Security, shall be chargeable (in addition to the Duty charged thereon as aforesaid) with the ad valorem Duty on Mortgages under this Act, in respect of such further Sum of Money or Stock. | |
| And where any such Mortgage or Wadset, or other Instrument hereby charged with any Duty under the Head of MORTGAGE in this Schedule, together with any Schedule Receipt, or other Matter put or endorsed thereon or annexed thereto, shall contain 2,160 Words or upwards, then for every entire Quantity of 1,080 Words contained therein, over and above | |

| SCHEDULE (B.) | Duty. |
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| MORTGAGE —continued. | £ s. d. |
| the first 1,080 Words, there shall be charged the further progressive Duty following; (that is to say,) 1 | |
| Where such Mortgage, Wadset, or other Instrument as aforesaid shall be chargeable with any ad valorem Stamp Duty or Duties not exceeding in the whole the Sum of 20s., a further progressive Duty equal to the Amount of such ad valorem Duty or Duties. | |
| And in all other Cases a further progressive Duty of - | 1 0 0 |
| SETTLEMENT. —Any Deed or Instrument, whether voluntary or gratuitous, or upon any good or valuable Consideration other than a bona fide pecuniary Consideration, whereby any definite and certain Principal Sum or Sums of Money, or any Annuity, Rent, or yearly Sum, (whether charged or chargeable on Lands or other Hereditaments or Heritable Subjects, or not, or to be laid out in the Purchase of Lands or other Hereditaments or Heritable Subjects, or not, and if charged or chargeable on Lands or other Hereditaments or Heritable Subjects, whether to be raised at all events or not), or any definite and certain Share or Shares in any of the Government or Parliamentary Stocks or Funds, or in the Stock and Funds of the Governor and Company of the Bank of England, or of the Bank of Ireland, or of the East India Company, or of the South Sea Company, or of any other Company or Corporation, which shall be settled or agreed to be settled upon or for the Benefit of any Person or Persons, either in possession or reversion, either absolutely or conditionally or contingently, or for Life or other partial Interest, or in any other Manner whatsoever; | |
| If such Sum or Sums of Money, or the Value of such Share or Shares in all or any of the said Stocks or Funds, or of any such Annuity, Rent, or yearly Sum, or of such One or more of the said Articles as shall be so settled or agreed to be settled, or both such Sum or Sums of Money and the Value of One or more of such Articles together, shall not exceed in the whole 100£. - - - - - | 0 5 0 |
| And if the same shall exceed 100£, then for every 100£ and also for every fractional Part of 100£. - - - - - | 0 5 0 |
| The Value of any such Annuity, Rent, or yearly Sum, or of any of such Stocks or Funds, to be ascertained in the like Manner as the Value of any Annuity, Rent, or yearly Sum, or of any Stocks or Funds, granted upon the Sale of any Property, is herein-before directed to be made under the Title CONVEYANCE in this Schedule. | |
| And all Deeds or Instruments chargeable with the said ad valorem Duty which shall also contain any Settlement of Lands or other Property, or contain any other Matter or Thing besides the Settlement of such Money or Stock, shall be chargeable with such further Stamp Duty as any separate Deed or Instrument containing such Settlement of Lands or other Property, or other Matter or Thing, would have been chargeable with, exclusive of the progressive Duty. | |
| And where there shall be Duplicates of any Deed or Instrument chargeable with the said ad valorem Duty on Settlements exceeding 1£. 15s., or where there shall be more than One Deed or Instrument for effecting any such Settlement as aforesaid, one of them only shall be charged with the said ad valorem Duty, and the other or others shall be charged with | |

| SCHEDULE (B.) | Duty. |
|--|--|
| <p>SETTLEMENT—continued.</p> <p>the Duty to which the same may be liable under any more general Description in this Schedule, or in the Schedule annexed to the said Act of the Fifty-fifth Year of the Reign of King George the Third; and on the whole being produced, duly executed and duly stamped, as hereby required, the latter shall also be stamped with a particular Stamp for denoting or testifying the Payment of the said ad valorem Duty.</p> <p>And where any such Deed or Instrument of Settlement as aforesaid, together with any Schedule, Receipt, or other Matter put or endorsed thereon or annexed thereto, shall contain 2,160 Words or upwards, then for every entire Quantity of 1,080 Words contained therein, over and above the first 1,080 Words, there shall be charged the further progressive Duty following; (that is to say,)</p> <p>Where such Deed or Instrument shall be chargeable with any ad valorem Stamp Duty or Duties not exceeding in the whole the Sum of 20s., a further progressive Duty equal to the Amount of such ad valorem Duty or Duties.</p> <p>And in all other Cases a further progressive Duty of -</p> | <p>£ s. d.</p> <p>1 5 0</p> |
| <p>WARRANT OF ATTORNEY (with or without a Release of Errors) to confess and enter up a Judgment in any of Her Majesty's Courts at Westminster or in Ireland, or in any of the Courts of the Counties Palatine in Lancaster and Durham, or in any other Court of Record holding Pleas, where the Debt or Damage amounts to 40s., which shall be given as a Security for the Payment of any Sum or Sums of Money, or for the Transfer of any Share or Shares in any of the Government or Parliamentary Stocks or Funds, or in the Stock and Funds of the Governor and Company of the Bank of England, or of the Bank of Ireland, or of the East India Company, or of the South Sea Company, or of any other Company or Corporation -</p> <p>Save and except where such Payment or Transfer shall be already secured by a Bond, Mortgage, or other Security which shall have paid the proper ad valorem Duty on Bonds or Mortgages imposed by Law at the Date thereof; and also except where the Warrant of Attorney shall be given for securing any Sum or Sums of Money for which the Person giving the same shall then be in actual Custody under an Arrest on Mesne Process or in Execution; and in those excepted Cases a Duty of -</p> | <p>The same Duty as on a Bond for the like Purpose.</p> <p>0 5 0</p> |
| <p>WARRANT OF ATTORNEY not otherwise charged in this Schedule -</p> | <p>1 15 0</p> |

Stamp Duties.

A

B I L L

[AS AMENDED BY THE COMMITTEE]

To repeal certain Stamp Duties, and to grant others in lieu thereof; and to amend the Laws relating to the Stamp Duties.

(*Prepared and brought in by
Mr. Bernal, The Chancellor of the Exchequer,
and Mr. Hayter.*)

*Ordered, by The House of Commons, to be Printed,
11 April 1850.*

210.

Under 5 oz.

Stamp Duties Bill.

(No.2.)

ARRANGEMENT OF CLAUSES.

Preamble recites 55 G. 3. c. 184., 3 G. 4. c. 117., 5 & 6 Vict. c. 82., 8 & 9 Vict. c. 2., and 11 & 12 Vict. c. 9.

Repealing certain Stamp Duties and granting others in lieu thereof specified in the Schedule annexed; Sect. 1.

The Duties hereby granted to be denominated Stamp Duties, and to be under the Care of Inland Revenue Commissioners; Powers, &c. of former Acts to be in force with regard to the Duties hereby granted; 2.

Not to extend to charge with Duty Instruments now exempt; 3.

Duties imposed by 5 & 6 Vict. c. 82. and 9 & 10 Vict. c. 112. on certain Leases in Ireland repealed; 4.

Repealing the Stamp Duties on Bargains and Sales, and also the Provisions of 4 & 5 Vict. c. 21. and 8 & 9 Vict. c. 106. which impose a certain additional Stamp Duty upon Deeds or Instruments taking effect thereunder; so much of said Two Acts as is recited repealed; 5.

Additional Duty on a Conveyance by Feoffment or Bargain and Sale enrolled, repealed; 6.

Any Person receiving Monies for Stamp Duties and misappropriating the same to be liable for the Amount, and the Court of Exchequer empowered to enforce Payment thereof; 7.

For removing Doubts as to the Duties upon Transfers of Mortgages; 8.

Altering the Terms and Conditions on which Deeds, &c. may be stamped after the signing thereof; Inland Revenue Commissioners authorized in certain Cases to remit the Penalty on account of any Deed not being stamped previously to being signed, &c.; not to extend to Deeds for the stamping of which after the signing thereof special Provision is made, or to Cases where the stamping is by Law prohibited; 9.

Commissioners may stamp Instruments executed abroad, without any Penalty, on their being brought for that Purpose within Two Months after their Arrival in the United Kingdom; 10.

For removing Doubts as to the Sufficiency of Stamp Duty paid on Deeds; on Payment of a Fee of Ten Shillings, the Commissioners

sioners to assess the Duty to which any Deed is chargeable, and thereupon to impress such Deed with a Stamp signifying that the full Amount has been paid ; 11.

Reciting 55 G. 3. c. 101., 6 & 7 W. 4. c. 28., and 1 & 2 Vict. c. 61. ; Fire Insurance Licences in Ireland to be permanent ; Security to be given, by Persons to whom such Licences are granted, for Payment of Duties for Insurances from Fire ; such Security to remain in force so long as the Party to whom the Licence is granted shall continue to insure ; 12.

Construction of certain Terms used in this and in other Stamp Acts ; 13.

Amendment, &c. of Act ; 14.

SCHEDULES.

17 May 1850. 13 VICT.



(No. 2.)

A

B I L L

TO

Repeal certain Stamp Duties, and to grant others
in lieu thereof; and to amend the Laws relating
to the Stamp Duties.

[Note.—The Words printed in *Italics* are proposed to be inserted
in the Committee.]

WHEREAS by an Act passed in the Fifty-fifth Year of Pream.
the Reign of King George the Third, intituled “An 55G.3.c.16.
“ Act for repealing the Stamp Duties on Deeds, Law
“ Proceedings, and other written or printed Instruments, and the
5 “ Duties on Fire Insurances, and on Legacies, and Successions to
“ Personal Estate upon Intestacies, now payable in Great Britain,
“ and for granting other Duties in lieu thereof,” certain Stamp
Duties specified and contained in a Schedule to the said Act annexed
were granted and made payable in and throughout Great Britain, for
10 and in respect of the several Instruments, Matters, and Things
described or mentioned in the said Schedule: And whereas by an
Act passed in the Third Year of the Reign of King George the
Fourth, intituled “An Act to reduce the Stamp Duties on Recon- 3G.4.c.117.
“ veyances of Mortgages and in certain other Cases, and to amend
15 “ an Act of the last Session of Parliament for removing Doubts as
“ to the Amount of certain Stamp Duties in Great Britain and
“ Ireland respectively,” certain Stamp Duties therein mentioned or
referred to were repealed, and in lieu thereof certain other Stamp
353. A Duties

Duties in the said last-recited Act specified were granted and made payable in and throughout Great Britain and Ireland respectively: And whereas by an Act passed in the Sixth Year of the Reign of Her present Majesty, intituled "An Act to assimilate the Stamp Duties in Great Britain and Ireland, and to make Regulations for collecting and managing the same until the Tenth Day of October One thousand eight hundred and forty-five," certain of the said Stamp Duties granted by the said first-recited Act were extended to and made payable in Ireland; and under and by virtue of the said Three several Acts, and also of Two other Acts passed respectively in the Eighth and Eleventh Years of Her Majesty's Reign, for continuing the said last-recited Act, the said Stamp Duties are now payable in Great Britain and Ireland respectively: And whereas it is expedient to repeal certain of the said Stamp Duties, so far as the same relate to the several Instruments, Matters, and Things mentioned and described in the Schedule to this Act annexed, and to substitute in lieu thereof other Rates of Duties for and in respect of the same Instruments, Matters, and Things: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the *Fifth Day of July One thousand eight hundred and fifty* the several Stamp Duties now payable in Great Britain and Ireland respectively, under or by virtue of the said several Acts herein-before recited or referred to, or any of the said Acts respectively, or any other Act or Acts, for or in respect of the several Instruments, Matters, and Things described or mentioned in the said Schedule to this Act annexed, and whereon other Duties are by this Act granted and imposed, shall respectively cease and determine, and shall be and the same are hereby repealed, and in lieu and instead thereof there shall be granted, raised, levied, collected, and paid in and throughout the United Kingdom of Great Britain and Ireland, unto and for the Use of Her Majesty, Her Heirs and Successors, for and in respect of the said several Instruments, Matters, and Things, or for or in respect of the Vellum, Parchment, or Paper upon which the same respectively shall be written, the several Duties or Sums of Money set down in Figures against the same respectively, or otherwise specified and set forth in the said last-mentioned Schedule, and that the said last-mentioned Schedule, and the several Provisions, Regulations, and Directions therein contained with respect to the said Duties, and the Instruments, Matters, and Things charged therewith, shall be deemed and taken to be Part of this Act, and shall be applied, observed, and put in execution accordingly: Provided always, that nothing herein contained shall extend to repeal or alter any of the said Duties now payable in

relation

5 & 6 Vict.
c. 82.

8 & 9 Vict.
c. 2.
11 & 12 Vict.
c. 9.

Stamp Duties on Instruments specified in the annexed Schedule repealed, and other Duties granted in lieu thereof.

relation to any Deed or Instrument which shall have been signed or executed by any Party thereto, or which shall bear Date before or upon the said Tenth Day of October One thousand eight hundred and fifty.

- 5 II. And be it enacted, That the said Duties by this Act granted shall be denominated and deemed to be Stamp Duties, and shall be under the Care and Management of the Commissioners of Inland Revenue for the Time being; and that all Powers, Provisions, Clauses, Regulations, Directions, and Exemptions, Fines, Forfeitures, Pains, 10 and Penalties, contained in or imposed by the said recited Act of the Fifty-fifth Year of the Reign of King George the Third and the Schedule thereto annexed, and in or by any other Act or Acts, relating to any Duties of the same Kind or Description heretofore payable in Great Britain and Ireland respectively, and in force at the Time of 15 the passing of and not repealed by this Act, shall respectively be of full Force and Effect with respect to the Duties by this Act granted, and to the Vellum, Parchment, and Paper, Instruments, Matters, and Things, charged and chargeable therewith, and to the Persons liable to the Payment of the said Duties, so far as the same are or shall be 20 applicable, in all Cases not hereby expressly provided for, and shall be observed, applied, allowed, enforced, and put in execution for and in the raising, levying, collecting, and securing of the said Duties hereby granted, and otherwise in relation thereto, so far as the same shall not be superseded by and shall be consistent with the express Provisions 25 of this Act, as fully and effectually, to all Intents and Purposes, as if the same had been herein repeated and specially enacted, mutatis mutandis, with reference to the said Duties by this Act granted, and the said Schedule annexed to the said Act of the Fifty-fifth Year of the Reign of King George the Third and the said Schedule to 30 this Act annexed shall be read and construed as One Schedule and as One Act.

Duties granted to be denominated Stamp Duties, and to be under the Care of the Commissioners of Inland Revenue. Powers and Provisions of former Acts to be in force and be put in execution with regard to the Duties hereby granted.

- III. Provided always, and be it enacted, That nothing in this Act, or in the Schedule hereto annexed, contained shall extend or be deemed or construed to extend to charge with Stamp Duty 35 any Deed, or Instrument which by any Act or Acts now in force is expressly exempted from all Stamp Duty; or to subject or charge any Transfer or Assignment of any Share in the Stock and Funds of the Governor and Company of the Bank of England, or of the South Sea Company, or of the East India Company respectively, 40 to or with any higher or other Stamp Duty than such Transfers and Assignments are respectively subject and liable to under any Act or Acts now in force.

Duties not to be charged on Deeds or Instruments expressly exempted from Stamp Duty by existing Acts.

Duties imposed by 5 & 6 Vict. c. 82. and 9 & 10 Vict. c. 112. on certain Leases in Ireland repealed.

IV. And be it enacted, That the Duties imposed by the said Act of the Sixth Year of Her Majesty's Reign upon any Lease, Release, or Deed, Minute, Memorandum, or legal or equitable Article or Instrument for setting or demising Lands, Tenements, or Hereditaments in Ireland, in the Manner in the said Act mentioned, and also the Duty imposed by an Act passed in the Tenth Year of Her Majesty's Reign, intituled "An Act to facilitate and encourage the granting of certain Leases for Terms of Years in Ireland," on any Lease in the said last-mentioned Act described, shall, so far as the same respectively relate to any such Lease, Release, or Deed, Minute, 10 or Memorandum, Article or Instrument as aforesaid which shall bear Date after the said Tenth Day of October One thousand eight hundred and fifty, be and the same are hereby repealed; and every such Lease, Release, or Deed, Minute, Memorandum, or legal or equitable Article or Instrument last mentioned shall be and become subject and liable 15 to and chargeable with the Duties imposed by this Act and the said Act of the Fifty-fifth Year of the Reign of King George the Third respectively, on Deeds and Instruments of the like Kind or Description.

CLAUSE A.
For removing Doubts as to the Stamp Duties on certain Agreements for setting or demising Lands in Ireland.

V. And whereas by an Act passed in the Seventh Year of Her 20 Majesty's Reign the Stamp Duty on an Agreement or Minute, or Memorandum of an Agreement, under Hand only, and in the said last-mentioned Act more particularly described, was reduced to the Sum of Two Shillings and Sixpence: And whereas Doubts have arisen as to whether the said reduced Duty extends to Agreements 25 or other Instruments under Hand only for setting or demising Lands, Tenements, or Hereditaments in Ireland at a yearly Rent not exceeding Fifty Pounds; and it is expedient to remove such Doubts: Be it therefore declared and enacted, That no Agreement or Minute, Memorandum, or legal or equitable Article or Instrument, under 30 Hand only, made or to be made at any Time since the Sixth Day of June One thousand eight hundred and forty-four, and before or upon the Tenth Day of October One thousand eight hundred and fifty, for setting or demising Lands, Tenements, or Hereditaments in Ireland at any yearly Rent not exceeding Fifty Pounds, shall be 35 held or deemed to be or to have been subject or liable to any higher Amount of Stamp Duty than the said reduced Duty of Two Shillings and Sixpence payable on an Agreement or Minute, or Memorandum of an Agreement, under Hand only, by virtue of the said Act of the Seventh Year of Her Majesty's Reign. 40

Preamble.

VI. And whereas under or by virtue of the said several Acts hereinbefore recited, or some of them, certain Stamp Duties are now payable for or in respect of any Bargain and Sale, or Lease for a Year, for vesting

- vesting the Possession of Lands or other Hereditaments, and enabling the Bargainee to take a Release of the Freehold or Inheritance: And whereas by an Act passed in the Fourth Year of the Reign of Her present Majesty, intituled "An Act for rendering a Release as effectual for the Conveyance of Freehold Estates as a Lease and Release by the same Parties," it is provided, that every Deed or Instrument taking effect under the said last-mentioned Act in the Manner therein mentioned shall be chargeable with the same Amount of Stamp Duty as any Bargain and Sale or Lease for a Year would have been chargeable with (except progressive Duty) if executed to give Effect to such Deed or Instrument, in addition to the Stamp Duties which such Deed or Instrument shall be chargeable with as a Release or otherwise under any Act or Acts relating to Stamp Duties: And whereas by an Act passed in the Ninth Year of the Reign of Her present Majesty, intituled "An Act to amend the Law of Real Property," it is enacted, that every Deed which by force only of the said last-mentioned Act shall be effectual as a Grant shall be chargeable with the Stamp Duty with which the same Deed would have been chargeable in case the same had been a Release founded on a Lease or Bargain and Sale for a Year, and also with the same Stamp Duty (exclusive of progressive Duty) with which such Lease or Bargain and Sale for a Year would have been chargeable: And whereas it is expedient to repeal the said Stamp Duties now payable for or in respect of any such Bargain and Sale or Lease for a Year as aforesaid, and also to repeal so much of the said Two several Acts last mentioned as imposes upon any Deed or Instrument the said additional Stamp Duty as for a Bargain and Sale or Lease for a Year: Be it therefore enacted, That the said Duties now payable for or in respect of any such Bargain and Sale or Lease for a Year as aforesaid, and also so much of the said Two several last-mentioned Acts as is herein-before recited, shall, so far as the same respectively relate to any Deed or Instrument which shall bear Date after the said Tenth Day of October One thousand eight hundred and fifty, be and the same are hereby repealed.
- Stamp Duties on a Bargain and Sale, and so much of said Two Acts as is recited, repealed.
- 35 VII. And whereas by the said recited Act of the Fifty-fifth Year of the Reign of King George the Third, and the Schedule thereto annexed, it is provided, that where any Freehold Lands or Hereditaments shall be conveyed by a Deed of Feoffment or by a Deed of Bargain and Sale enrolled, such Deed of Feoffment or Bargain and Sale, unless accompanied with a Lease and Release, shall be charged with such further Duty as in the said last-mentioned Schedule is specified and contained in that Behalf: Be it enacted, That so much of the said last-mentioned Act and of the said Schedule as charges such Deed of Feoffment or Bargain and Sale with any such further
- Preamble.
- Additional Duty on a Conveyance by Feoffment or Bargain
672. B Duty

and Sale
enrolled, re-
pealed.

Duty shall, as to any such Deed as aforesaid which shall bear Date at any Time after the Tenth Day of October One thousand eight hundred and fifty, be and the same is hereby repealed.

All Persons
receiving
Monies for
Stamp
Duties,
and misap-
propriating
the same, to
be liable for
the Amount,
and the Court
of Exche-
quer to en-
force Pay-
ment thereof.

VIII. And be it enacted, That if any Person shall have received or gotten into his Hands, or shall receive or get into his Hands, 5 any Sum or Sums of Money as and for the Stamp Duty upon or in respect of any Deed, Instrument, or Transaction, or intended Deed, Instrument, or Transaction, or the Duty upon or in respect of any Legacy or Residue, and shall improperly neglect or omit to appropriate such Sum or Sums of Money to the due Payment of 10 such Duty, or shall otherwise by or under any Means or Pretence whatsoever improperly withhold or detain the same, every such Person shall be accountable for the Amount of such Duty or Sum or Sums of Money, and the same shall be a Debt from such Person to Her Majesty, Her Heirs and Successors, and recoverable 15 as such accordingly; and it shall be lawful for the Barons of Her Majesty's Court of Exchequer in England, Scotland, or Ireland respectively, upon Application to be made for that Purpose on behalf of the Commissioners of Inland Revenue, upon such Affidavit as to such Court may appear sufficient, to grant a Rule 20 requiring such Person, or his Executor or Administrator, to show cause why he should not deliver to the said Commissioners an Account upon Oath of all such Duties and Sums of Money as afore- said, and why the same should not be forthwith paid to the Receiver General of Inland Revenue, or to such Person as the said Commis- 25 sioners shall appoint or authorize to receive the same; and it shall be lawful for such Court to refer the taking or auditing of any such Account to the proper Officer of such Court, who shall examine any such Person as a Debtor or alleged Debtor to the Crown, on personal Interrogatories, if such Court shall think proper so to do; and it shall 30 be lawful for such Court to make absolute any such Rule as aforesaid in every Case in which the same may appear to such Court to be proper and necessary, and to enforce by Attachment or otherwise the Payment of any such Duties or Sums of Money as on such Proceed- ings shall appear to such Court to be due, together with the Costs of 35 all such Proceedings.

For remov-
ing Doubts
as to the
Duties upon
Transfers of
Mortgages.

IX. And whereas Doubts have arisen as to certain Stamp Duties in Great Britain and Ireland respectively payable under the said Act of the Fifty-fifth Year of the Reign of King George the Third, the said Act of the Third Year of the Reign of King George the Fourth, 40 and the several Acts respectively therein recited or mentioned, and the said Act of the Sixth Year of the Reign of Her present Majesty, or under some or one of the said several Acts respectively, upon or in

in respect of certain Deeds or Instruments herein-after mentioned, and it is proper that such Doubts should be removed: Be it therefore enacted and declared, That any Transfer or Assignment, Disposition or Assignment, already made, or which on or before the Tenth Day
5 of October One thousand eight hundred and fifty may be made, of any Mortgage or Wadset or of any other Security in the said Acts or any of them mentioned, or of the Benefit thereof, or of the Money or Stock thereby secured, shall not, by reason of its containing any further or additional Security for the Payment or Transfer or Re-transfer of such
10 Money or Stock, or any Interest or Dividends thereon, or any new Covenant, Proviso, Power, Stipulation, or Agreement, or other Matter whatever, in relation to such Money or Stock, or the Interest or Dividends thereon, or by reason of its containing all or any of such Matters, be or be deemed to be liable to any further or other Duty
15 (except progressive Duty) than the Duty herein-after mentioned; (that is to say,) where no further Money or Stock has been or shall be added to the Principal Money or Stock already secured, a Stamp Duty of One Pound Fifteen Shillings, and where any further Sum of Money or Stock has been or shall be added to the Principal Money
20 or Stock already secured, the same Stamp Duty only as on a Mortgage or Wadset for such further Sum or Stock; and that any Deed or Instrument, already made or which may be made as aforesaid, operating or intended to operate as a further Charge or as a Security for any further or additional Money or Stock advanced
25 upon any Property already comprised in any Mortgage or other Security, shall not by reason of its containing all or any of the Matters aforesaid, in relation to the Money or Stock previously secured, or the Interest or Dividends thereon, be deemed to be liable to any further or other Stamp Duty than the Duty chargeable on an original
30 Mortgage for the further or additional Money or Stock in and by such Deed of further Charge or Security charged or secured, or intended so to be.

X. And whereas numerous Leases have been from Time to Time granted upon or after Sales made in consideration of Money paid to
35 some other Person or Persons than the Lessor, without stamping such Leases with any ad valorem Stamp in respect of such pecuniary Consideration, the Parties to such Leases conceiving that the Provisions of the several Acts now in force requiring the Consideration to be set out, and imposing an ad valorem Duty thereon, did not
40 apply to any other Consideration than that passing between the Lessor and Lessee; but inasmuch as Doubts have arisen on the Subject, it is reasonable that such Relief as is herein-after mentioned should be afforded in such Cases: Be it therefore enacted and declared, That no Lease made and executed before the Twentieth
672. Day

CLAUSE B.
For affording
Relief in cer-
tain Cases of
Leases.

Day of March One thousand eight hundred and fifty shall be adjudged, deemed, or taken to be improperly stamped by reason of there not being an ad valorem Stamp impressed thereon for or in respect of any pecuniary Consideration which may have been paid or may be therein expressed to be paid by the Lessee to any other 5 Person or Persons than the Lessor, and that the Seller and the Lessee respectively in any such Lease, and any Attorney, Solicitor, Writer to the Signet, or other Person employed in or about the Preparation or Completion of the same, shall be exempted from all Penalties and other Liabilities for or by reason of any Default in 10 setting forth any such pecuniary Consideration as aforesaid.

Terms and Conditions on which Deeds, &c. may be stamped after the signing thereof.

XI. And whereas, for securing the due Payment of the Stamp Duties imposed by Law on Deeds and other Instruments, it is expedient to alter the Terms and Conditions on which any such Deed or Instrument may be stamped after the Execution or signing thereof: 15 Be it therefore enacted, That where any Deed or Instrument liable by Law to any Stamp Duty shall be written on Vellum, Parchment, or Paper, and shall be signed or executed by any Person before such Vellum, Parchment, or Paper shall be duly stamped for denoting the Payment of the said Duty, then and in every such Case there shall 20 be due, answered, and paid to Her Majesty, Her Heirs and Successors, the whole or (as the Case may be) the Deficiency of the Stamp Duty payable upon or in respect of such Deed or Instrument, and there shall also be paid and payable, over and above the said Duty or Deficiency of Duty, by way of Penalty, and in lieu of any former 25 Penalty imposed or made payable by Law in the like Case, the Sum of Ten Pounds; and where the whole Amount of the Duty or Deficiency of Duty to be denoted by the Stamp or Stamps required to be impressed on such Deed or Instrument when the same shall be brought to be stamped shall exceed the Sum of Ten Pounds, there shall be 30 paid by way of Penalty, in addition to the said Sum of Ten Pounds, Interest on the said Duty or Deficiency of Duty computed at the Rate of Five Pounds per Centum per Annum from the Date or first signing or Execution of such Deed or Instrument; provided, that if such Interest shall exceed in Amount the said Duty or Deficiency of 35 Duty, then there shall be paid by way of Penalty, in addition to the said Duty or Deficiency of Duty, and the said Sum of Ten Pounds, and in lieu of the said Interest, a Sum equal to the Amount of the said Duty or Deficiency of Duty; and the Commissioners of Inland Revenue are hereby required, upon Payment of the said Duty 40 or Deficiency of Duty, and of the said Sum or Sums herein-before directed to be paid by way of Penalty, to cause such Deed or Instrument to be duly stamped with a Stamp or Stamps for denoting the Payment of such Duty or Deficiency, and also with a Stamp for denoting

denoting the Payment of a Penalty, in lieu of the Receipt heretofore required by any Act to be written or given for such Penalty; and no such Deed or Instrument shall be pleaded or given in Evidence, or admitted to be good, useful, or available in Law or Equity, until the same shall be duly stamped in manner aforesaid: Provided always, that where it shall appear to the Commissioners of Inland Revenue, upon Oath or otherwise, to their Satisfaction, that any Deed or Instrument hath not been duly stamped previously to being signed or executed by reason of Accident, Mistake, Inadvertency, or urgent Necessity, and without any wilful Design or Intention to defraud Her Majesty, Her Heirs or Successors, of the Duty chargeable in respect thereof, or to evade or delay the Payment of such Duty, then and in any such Case, if such Deed or Instrument shall within Twelve Calendar Months after the first signing or executing of the same by any Person be brought to the said Commissioners in order to be stamped, and the Stamp Duty chargeable thereon by Law shall be paid, it shall be lawful for the said Commissioners, if they shall think fit, to remit the whole or any Part of the Penalty payable on stamping such Deed or Instrument, and to cause such Deed or Instrument to be duly stamped, upon Payment of the whole, or, as the Case may be, the Deficiency of the Stamp Duty chargeable thereon by Law, and either with or without any Portion of the said Penalty; and thereupon every such Deed or Instrument shall be as valid and available in the Law as it would have been if it had been duly stamped before the signing or executing of the same: Provided also, that nothing herein contained shall extend or be deemed or construed to extend to any Deed or Instrument for the stamping of which after the signing or Execution thereof Provision is specially made by any Law now in force, or to any Deed or Instrument the stamping of which after the signing or Execution thereof is expressly prohibited or restricted by any such Law as aforesaid, or to repeal, alter, or affect any such Provision, Prohibition, or Restriction.

Commissioners of Inland Revenue authorized to remit the Penalty on stamping Deeds, &c. within Twelve Months after the signing thereof.

Not to extend to Instruments for the stamping of which after the signing thereof special Provision is made, or to Cases where the stamping is by Law prohibited.

XII. Provided always, and be it enacted, That it shall be lawful for the Commissioners of Inland Revenue to order and direct that any Deed or Instrument which shall have been or shall or may be signed or executed by any Party thereto at any Place out of the United Kingdom may be duly stamped, upon Payment of the proper Stamp Duty payable thereon, and without Payment of any additional Duty or Penalty, provided such Deed or Instrument shall be brought to the said Commissioners to be stamped as aforesaid within the Space of Two Calendar Months from the Time when the same shall have been received in the United Kingdom, and provided Proof shall be first made to the Satisfaction of the said Commissioners of the Facts aforesaid.

Commissioners may stamp Instruments executed abroad, without any Penalty, on their being brought for that Purpose within Two Months after their Arrival in the United Kingdom.

For removing
Doubts
as to the
Sufficiency of
Stamp Duty
paid on
Deeds.

XIII. And whereas Doubts frequently arise as to the Stamp Duties with which some Deeds or Instruments are chargeable, and it is expedient that Provision should be made whereby such Doubts may be removed: Be it therefore enacted, That when any Deed or Instrument liable to Stamp Duty, whether previously stamped or otherwise, shall 5 be presented to the Commissioners of Inland Revenue at their Office, and the Party presenting the same shall desire to have the Opinion of the said Commissioners as to the Stamp Duty with which such Deed or Instrument in their Judgment is chargeable, and shall tender and pay to the said Commissioners a Fee of Ten Shillings (which shall 10 be accounted for and paid over as Part of Her Majesty's Revenue arising from Stamp Duties), it shall be lawful for the said Commissioners and they are hereby required to assess and charge the Stamp Duty to which in their Judgment such Deed or Instrument is liable, and upon Payment of the Stamp Duty so assessed and charged by them, or, in the 15 Case of a Deed or Instrument insufficiently stamped, of such a Sum as, together with the Stamp Duty already paid thereon, shall be equal to the Duty so assessed and charged, and upon Payment also of the Amount payable by way of Penalty (if any) payable on stamping such Deed or Instrument, to stamp such Deed or Instrument with the 20 proper Stamp or Stamps denoting the Amount of the Duty so paid, and thereupon, or if the full Stamp Duty to which in the Judgment of the said Commissioners such Deed or Instrument shall be liable shall have been previously paid and denoted upon the same in manner aforesaid, the said Commissioners shall impress upon such 25 Deed or Instrument a particular Stamp to be provided by them for that Purpose, with such Word or Words or Device or Symbol thereon as they shall think proper in that Behalf, and such last-mentioned Stamp shall be deemed and taken to signify and denote that the full Amount of Stamp Duty with which such Deed or Instrument is by 30 Law chargeable has been paid, and every Deed or Instrument upon which the same shall be impressed shall be deemed to have been duly stamped, and shall be receivable in Evidence in all Courts of Law or Equity, notwithstanding any Objection made to the same as being insufficiently stamped; save and except that such last-mentioned 35 Stamp shall not be impressed upon any Deed or Instrument chargeable with ad valorem Duty under or by reference to the Head of Bond or Mortgage in the Schedule to this Act where the same is made as a Security for the Payment or Transfer or Re-transfer of Money or Stock without any Limit as to the Amount thereof; and provided 40 always, that nothing herein contained shall be deemed or construed to extend to require or authorize the said Commissioners to stamp as last aforesaid any Probate of a Will or Letters of Administration, or to stamp as last aforesaid any Deed or Instrument after the signing or Execution thereof in any Case in which the stamping thereof is 45 expressly prohibited by any Law in force.

XIV. Pro-

XIV. Provided always, and be it enacted, That if the Party presenting such Deed or Instrument to the said Commissioners as aforesaid for their Opinion as to the Stamp Duty with which the same is chargeable shall declare himself dissatisfied with the Determination made by them in that Behalf, it shall be lawful for such Party, upon paying the Amount of the Stamp Duty according to such Determination, and depositing with the said Commissioners the Sum of Forty Shillings for Costs and Charges to be paid by him in the Event herein-after provided for, to require the said Commissioners to state specially and to sign the Case on which the Question with respect to such Stamp Duty arose, together with their Determination thereupon, which Case the said Commissioners are hereby required to state and sign accordingly, and to cause the same to be delivered to the Party making such Request as aforesaid in order that he may appeal against such Determination to Her Majesty's Court of Exchequer at Westminster; and upon the Application of the said Party (due Notice thereof being given to the Solicitor of Inland Revenue to the end that Counsel may be heard on behalf of the said Commissioners) it shall be lawful for the said Court of Exchequer and the said Court is hereby required to hear and determine the said Appeal, and to decide as to the Stamp Duty with which such Deed or Instrument is chargeable, and according to such Decision the Stamp Duty and Penalty (if any) which shall have been the Subject of such Case shall be deemed to have been payable by Law; and if no Excess of Stamp Duty or Penalty shall have been paid to the said Commissioners by the said Appellant, over and above the Sum which according to the Decision of the said Court ought to have been paid upon or in respect of such Deed or Instrument, the said Sum of Forty Shillings deposited for Costs and Charges as aforesaid shall be applied to the Use of Her Majesty's Revenue; but if any such Excess as aforesaid shall have been so paid by the said Appellant, the same, together with the said Sum of Forty Shillings deposited as aforesaid, shall be repaid by the said Commissioners to the said Appellant; and if the Sum paid for Stamp Duty or Penalty upon or in respect of such Deed or Instrument shall fall short of the Amount which, according to the Decision of the said Court upon any such Appeal, is chargeable or ought to be paid upon or in respect of such Deed or Instrument, the Deficiency of such Stamp Duty or Penalty, or both, as the Case may be, shall be paid by the said Appellant to the said Commissioners, and the Court shall order and enforce the Payment thereof accordingly.

CLAUSE C.
Party dissatisfied with the Determination of the Commissioners as to the Stamp Duty chargeable may appeal to the Court of Exchequer, and the Duty shall be paid according to the Decision of the Court.

XV. And be it enacted, That where any Lands or other Property shall have been actually and bonâ fide contracted to be sold prior to the Twentieth Day of March One thousand eight hundred and fifty

CLAUSE D.
Conveyances, Mortgages, and Settlements of Property

under Contract or Obligation before 20th March 1850 exempted from any increased ad valorem Duty.

by any Contract or Agreement in Writing duly stamped, or shall have been actually and bonâ fide sold under the Decree of any Court made prior to the said Twentieth Day of March, and the same shall be conveyed to the Purchaser or any other Person by his Direction after the Tenth Day of October, and before or on the Thirty- 5 first Day of March One thousand eight hundred and fifty-one, or where any Lands or other Property shall have been actually and bonâ fide contracted to be mortgaged prior to the said Twentieth Day of March One thousand eight hundred and fifty, and the Abstract of Title of the Mortgagor to such Lands or other Property shall have 10 been actually delivered to the intended Mortgagee or his Solicitor prior to the said Twentieth Day of March One thousand eight hundred and fifty, and the same Mortgage shall be executed after the said Tenth Day of October, and before or on the Thirty-first Day of March One thousand eight hundred and fifty-one, or where any 15 Deed or Instrument liable to the ad valorem Duty by this Act granted under the Head of "Settlement" in the Schedule to this Act shall be executed after the said Tenth Day of October, and before or on the Thirty-first Day of March One thousand eight hundred and fifty-one, in pursuance of an Obligation contained in any 20 Deed, Will, or other Instrument which was actually and bonâ fide in force and obligatory upon the Party executing the same prior to the said Twentieth Day of March One thousand eight hundred and fifty, or in pursuance of the Decree of any Court made prior to that Day, the principal or only Deed or Instrument whereby such Lands or 25 other Property as aforesaid shall be conveyed or mortgaged respectively, and the principal or only Deed chargeable with ad valorem Duty by this Act granted under the Head of "Settlement" in the Schedule hereto, shall be exempt from any ad valorem Duty of a greater Amount than would have been payable on such Deed or In- 30 strument respectively if this Act had not been passed; but in order to prevent Frauds such Deed or Instrument shall be produced on or before the Thirtieth Day of April One thousand eight hundred and fifty-one, duly executed and duly stamped, to the Commissioners of Inland Revenue, and upon its being proved to their Satisfaction that 85 the Lands or other Property therein comprised were actually and bonâ fide contracted to be sold as aforesaid, or were actually and bonâ fide sold under the Decree of any Court made prior to the said Twentieth Day of March One thousand eight hundred and fifty, or that such Lands or other Property therein comprised were actually 40 and bonâ fide contracted to be mortgaged as aforesaid, and that the Abstract of Title thereto was actually delivered as aforesaid, or that such Deed or Instrument liable to the ad valorem Duty by this Act, granted under the Head of "Settlement" in the Schedule to this Act, was executed in pursuance of an Obligation contained in such Deed, 45 Will,

Will, or other Instrument so in force and obligatory as aforesaid, or was actually and bonâ fide executed in pursuance of the Decree of any Court made prior to the said Twentieth Day of March One thousand eight hundred and fifty, and that such Deed or Instrument
 5 was duly executed on or before the Thirty-first Day of March One thousand eight hundred and fifty-one, the said Commissioners of Inland Revenue, or some or One of them, shall sign a Certificate of what shall be so proved to their Satisfaction upon such Deed or Instrument, and thereupon such Deed or Instrument, being stamped with the ad
 10 valorem Duty which would have been payable if this Act had not been passed, shall be as valid and available in the Law as if the same had been stamped with the said ad valorem Duty by this Act granted, but the same shall not without such Certificate be given in Evidence, or be in any Manner available unless stamped with such ad valorem
 15 Duty last mentioned.

XVI. And whereas it is considered that under the Provisions of
 an Act passed in the First and Second Years of the Reign of King
 George the Fourth, intituled "An Act to remove Doubts as to the
 " Amount of Stamp Duties to be paid on Deeds and other Instruments
 20 " under the several Acts in force in Great Britain and Ireland," any Deed, Agreement, or other Instrument which relates wholly to Real or Personal Property in Ireland, or to any Matter or Thing (other than the Payment of Money) to be done in Ireland, cannot after the engrossing thereof properly be stamped elsewhere than at the Stamp
 25 Office in Dublin, and also that any Deed, Agreement, or other Instrument which relates to any Real or Personal Property situate elsewhere than in Ireland, or to any Matter or Thing (other than the Payment of Money) to be done elsewhere than in Ireland, cannot after the engrossing thereof properly be stamped elsewhere than at
 30 the Stamp Office in London: And whereas such Construction of the said Act as aforesaid is the Occasion of Inconvenience: Be it therefore enacted and declared, That from and after the passing of this Act any such Deed, Agreement, or Instrument as aforesaid may and shall, without regard to the Place where the Property, Matter,
 35 or Thing to which the same may relate may be situate or may be to be done, be stamped with such Duty or Duties as the same may be liable to at either the Stamp Office in London or at the Stamp Office in Dublin, according as the same shall for that Purpose be presented at either of the said Offices.

CLAUSE E.
 1 & 2 G. 4.
 c. 55.

Deeds, &c.
 may be
 stamped
 either in
 London or
 Dublin.

40 XVII. And whereas by an Act passed in the Thirteenth Year of the Reign of Her said Majesty, intituled "An Act to repeal the
 " Allowances on the Purchase of Stamps, and for receiving and
 " accounting for the Duties on Gold and Silver Plate, and to grant
 672. D " other

CLAUSE F.
 The Allow-
 ance on
 Receipt
 Stamps
 granted by
 12 & 13 Vict.
 c.80. repealed.

“ other Allowances in lieu thereof,” an Allowance at the Rate of One Pound Ten Shillings per Cent. is granted to any Person who shall produce at the Office of the Commissioners of Inland Revenue in London or Dublin to be stamped, or shall purchase of the said Commissioners at their Office in London, Edinburgh, or Dublin, 5 Vellum, Parchment, or Paper stamped with Stamps (not being Labels for Medicines) under the Value respectively of Ten Pounds each, but to the Amount or Value in the whole of Thirty Pounds or upwards: And whereas it is expedient to repeal the said Allowance so far as relates to Stamps for Receipts, and to grant another and 10 increased Rate of Allowance in lieu thereof: Be it therefore enacted, That from and after the passing of this Act the said Allowance granted by the said last-mentioned Act, so far as the same relates to Stamps for Receipts, shall be and the same is hereby repealed, and that in lieu thereof there shall be made and granted the Allowance 15 following (that is to say), to any Person who at one and the same Time shall produce at the Office of the said Commissioners in London or Dublin Paper to be stamped with Stamps for Receipts to the Amount of Five Pounds or upwards, or shall purchase at the Office of the said Commissioners in London, Edinburgh, or Dublin 20 Stamps for Receipts to the Amount of Five Pounds or upwards, or of any Distributor or Sub-distributor of Stamps at any Place not within the Distance of Ten Miles from the said Offices respectively to the Amount of One Pound or upwards, an Allowance at and after the Rate of Seven Pounds Ten Shillings per Centum, provided 25 that no such Allowance shall be made for any Fraction of a Pound.

Allowance
of 7l. 10s.
per Cent.
granted.

Reciting
55G.3.c 101.
as to Fire
Insurances
in Ireland.

XVIII. And whereas by an Act passed in the Fifty-fifth Year of the Reign of King George the Third, intituled “ An Act to regulate “ the Collection of Stamp Duties on Matters in respect of which “ Licences may be granted by the Commissioners of Stamps in 30 “ Ireland,” it is enacted, that the said Commissioners shall annually grant a Licence for insuring Houses, Furniture, Goods, Wares, Merchandize, or other Property from Loss by Fire to all and every Body and Bodies Politic or Corporate or Person or Persons applying for the same in manner therein mentioned, and that where the Business 35 of Insurance is carried on by a Company consisting of a greater Number than Four the said Licence shall be granted to such Two or more of such Company or Partners, or if such Company or Partnership shall be a British Company or Partnership, then to such Agent or Agents resident in Ireland as shall be named to the said 40 Commissioners; and that no Person or Persons or Body or Bodies Politic or Corporate shall insure, or open or keep any Office in Ireland for insuring Houses, Furniture, Goods, Wares, Merchandize,
or

- or other Property from Loss by Fire, without having first taken out and continuing to take out annually a Licence for that Purpose; and it is also enacted, that all and every Person and Persons and Body or Bodies Politic or Corporate to whom any such Licence as aforesaid
- 5 shall be granted shall at the Time of receiving such Licence give such Security, with sufficient Sureties, to be approved of by the said Commissioners of Stamps, by Bond to His Majesty, conditioned for making out, signing, and delivering the Accounts of all Monies received for Duties upon such Insurances, and Payment of the same, as therein
- 10 mentioned: And whereas under and by virtue of an Act passed in the Sixth and Seventh Years of the Reign of His late Majesty King William the Fourth, intituled "An Act to enable Persons to make
- " Deposits of Stock or Exchequer Bills in lieu of giving Security by
- " Bond to the Postmaster General and Commissioners of Land
- 15 " Revenue, Customs, Excise, Stamps, and Taxes," and of an Act passed in the First and Second Years of Her present Majesty's Reign,
- for amending the said last-mentioned Act, any Person from whom any Security is required in respect of any Matter relating to the Revenues of the Post Office, Land Revenues, Customs, Excise,
- 20 Stamps, or Taxes is enabled, in lieu of giving such Security by Bond, to give the same by Transfer of Stock or Deposit of Exchequer Bills, as therein mentioned: And whereas the giving of Security every Year by Persons in Ireland insuring Property from Loss or Damage by Fire on taking out a Licence for that Purpose is attended
- 25 with great Inconvenience, and it is expedient to provide a Remedy for the same: Be it therefore enacted, That every Licence which shall be hereafter granted for insuring Houses, Furniture, Goods, Wares, Merchandize, or other Property from Loss by Fire, under the said Act passed in the Fifty-fifth Year of the Reign of King George
- 30 the Third, shall endure and remain in force from the Day of the Date thereof for and during all such Time as the Body Politic or Corporate to which the same shall be granted, or the Person or Persons therein named, or any of them, shall continue to insure or carry on the Business of Fire Insurance, or in the Case of a Com-
- 35 pany in Ireland not incorporate, so long as the Persons named in the Licence shall be Members or Partners, or a Member or Partner of the Company named or described in such Licence, and as and for the whole of which the same shall have been granted, anything in any of the said recited Acts or in any other Act contained to the contrary
- 40 notwithstanding: Provided always, that every Person and Body Politic or Corporate to whom any such Licence as aforesaid shall be granted shall give Security by Bond to Her Majesty, Her Heirs and Successors, in such Sum as the Commissioners of Inland Revenue, or their proper Officer in that Behalf in Ireland, shall think proper, with suf-
- 45 ficient Sureties, to the Satisfaction of the said Commissioners or Officer,
- 672.

6 & 7 W. 4.
c. 28.
and 1 & 2
Vict. c. 61.
as to De-
posit of
Stock.

Fire Insu-
rance Li-
cences in
Ireland to be
permanent.

Security to
be given for
Payment of
Duties.

or

The Security to continue in force so long as the Person to whom the Licence is granted or the Company shall continue to insure.

The Security to be renewed.

or by Transfer of Stock or Deposit of Exchequer Bills, in pursuance of the said recited Acts in that Behalf, for duly and faithfully keeping, making out, signing, and delivering, in the Manner required by any Act of Parliament relating thereto, all and every the Accounts by any such Act required to be kept, made out, signed, and delivered by Persons 5 and Bodies Politic or Corporate to whom Licence is granted for insuring Houses, Furniture, Goods, Wares, Merchandize, or other Property from Loss by Fire, and for duly and faithfully paying, as required by any such Act, the Duties which shall appear to be due on such Accounts respectively, and for truly and faith- 10 fully observing and performing all the Directions, Matters, and Things contained in the said Acts, on the Part of such licensed Person or Body Politic or Corporate to be observed and performed; and every such Security to be given under any of the said Acts, whether by Bond, or Transfer or Deposit of Stock or 15 Exchequer Bills, and in the Case of any such Transfer or Deposit in or into whose Name or Names soever, together with the Name of the Chairman of the Commissioners of Inland Revenue for the Time being, the Stock or Exchequer Bills shall be or be transferred or deposited, shall continue and be a Security for the due Performance of all 20 Things required as aforesaid, not only during all such Time as the Licence to which the same shall relate shall be in force, but, in the Case of Bodies Politic or Corporate or Companies not incorporate in Ireland, during all such Time as the Body Politic or Corporate or the Company not incorporate named or described in such Licence 25 shall insure any such Property from Loss by Fire, or shall carry on the Business of such Insurance, whether any such Licence shall be in force or not, or otherwise, according to the Conditions of any such Bond, or the Terms or Conditions of any Declaration relating to any such Stock or Exchequer Bills; and such Stock 30 or Exchequer Bills may, when the Security for which the same was or were transferred or deposited shall be no longer necessary, be transferred or delivered up to any of the Persons who for the Time being shall be a Partner or Member or Partners or Members of the Company for or on whose Behalf the same was or were transferred 35 or deposited, or otherwise, according to the Terms, if any, in that Behalf mentioned and contained in any such Declaration as the said Chairman for the Time being shall think proper: Provided always, that every such Security shall be renewed from Time to Time as often as any such Bond shall become forfeited, or any of the Parties 40 thereto shall die, or become bankrupt or insolvent, or reside in Parts beyond the Seas, and also as often as the said Commissioners or their said Officer shall think fit, and in such Amount as they or the Commissioners of Her Majesty's Treasury shall direct, whether the same shall be by Bond or Transfer or Deposit as aforesaid; and in 45 the

the event of any Neglect or Refusal to renew the same, when required by this Act, or by the said Commissioners of Inland Revenue or their said Officer, it shall be lawful for the said last-mentioned Commissioners to revoke the Licence which shall have been granted to
 5 the Body Politic or Corporate, or Company, or Person or Persons, neglecting or refusing to renew such Security, to insure Property from Loss by Fire, and thenceforth such Licence shall cease and determine.

XIX. And in order to avoid the frequent Use of divers Terms and
 10 Expressions, and to prevent any Misconstruction of the Terms and Expressions used in this or any other Act relating to Stamp Duties, be it enacted, That wherever in this Act or in any other such Act as aforesaid, with reference to any Person, Offence, Matter, or Thing, any Word or Words is or are or have been or shall be used importing
 15 the Singular Number or the Masculine Gender only, yet such Words shall be understood to include several Persons as well as one Person, Females as well as Males, Bodies Politic or Corporate as well as Individuals, and several Matters or Things as well as one Matter or Thing, unless it be otherwise specially provided, or there be some-
 20 thing in the Subject or Context repugnant to such Construction; and that wherever the several Words, Terms, or Expressions following are or shall be used in this Act or in any other such Act as aforesaid, with reference to any Deed or Instrument, they shall be construed respectively in the Manner herein-after directed, (that is to say,)
 25 the Word "write" or the Word "written" shall be respectively deemed to mean and include the several Words "print" or "printed," or "partly write and partly print," or "partly written and partly printed," as well as "write" or "written."

Construction
 of certain
 Terms used
 in Stamp
 Acts.

XX. And be it enacted, That this Act may be amended or repealed
 30 by any Act to be passed in this present Session of Parliament.

Act may be
 amended or
 repealed this
 Session.

The SCHEDULE referred to,

CONTAINING

THE DUTIES GRANTED BY THIS ACT.

| SCHEDULE. | Duty. |
|---|--|
| | £ s. d. |
| AGREEMENT, or any Minute or Memorandum of Agreement, made in England or Ireland under Hand only, or made in Scotland without any Clause of Registration, (not charged otherwise than under the Head AGREEMENT in the Schedule to the Act 55 G. 3. c. 184., nor expressly exempted from all Stamp Duty,) where the Matter thereof shall be of the Value of 20 <i>l.</i> or upwards, whether the same shall be only Evidence of a Contract, or obligatory upon the Parties from its being a written Instrument, together with every Schedule, Receipt, or other Matter put or endorsed thereon or annexed thereto - - - | 0 2 6 |
| And where the same shall contain 2,160 Words or upwards, then for every entire Quantity of 1,080 Words contained therein, over and above the first 1,080 Words, a further progressive Duty of | 0 2 6 |
| BOND in England or Ireland, and Personal Bond in Scotland, given as a Security for the Payment of any definite and certain Sum of Money: | |
| Not exceeding 50 <i>l.</i> - - - - - | 0 1 8 |
| Exceeding 50 <i>l.</i> and not exceeding 100 <i>l.</i> - - - - - | 0 2 6 |
| Exceeding 100 <i>l.</i> and not exceeding 150 <i>l.</i> - - - - - | 0 3 9 |
| Exceeding 150 <i>l.</i> and not exceeding 200 <i>l.</i> - - - - - | 0 5 0 |
| Exceeding 200 <i>l.</i> and not exceeding 250 <i>l.</i> - - - - - | 0 6 3 |
| Exceeding 250 <i>l.</i> and not exceeding 300 <i>l.</i> - - - - - | 0 7 6 |
| And where the same shall exceed 300 <i>l.</i> , then for every 100 <i>l.</i> and also for any fractional Part of 100 <i>l.</i> - - - - - | 0 2 6 |
| BOND in England or Ireland, and Personal Bond in Scotland, given as a Security for the Repayment of any Sum or Sums of Money to be thereafter lent, advanced, or paid, or which may become due upon an Account Current, together with any Sum already advanced or due, or without, as the Case may be; | |
| Where the Money secured or to be ultimately recoverable thereupon shall be limited not to exceed a given Sum - - - | <p>The same Duty as on a Bond for such limited Sum.</p> <p>The same Duty as on a Bond for a Sum equal to the Amount of the Penalty of such Bond.</p> <p>The same ad valorem Duty as on a Bond for a Sum of Money equal to the Value of the Stock or Fund secured, according to the average Price thereof on the Day of the Date of the Bond, or on either of the Ten Days preceding, or if there shall not have been any known Sale on any of such Days, then on the latest Day preceding on which there shall have been a known Sale.</p> |
| And where the total Amount of the Money secured or to be ultimately recoverable thereupon shall be uncertain, and without any Limit - - - - - | |
| And where there shall be no Penalty of the Bond in such last-mentioned Case, such Bond shall be available for such an Amount only as the ad valorem Duty denoted by any Stamp or Stamps thereon will extend to cover, | |
| BOND in England or Ireland, and Personal Bond in Scotland, given as a Security for the Transfer or Re-transfer of any Share in any of the Government or Parliamentary Stocks or Funds, or in the Stock and Funds of the Governor and Company of the Bank of England, or of the Bank of Ireland, or of the East India Company, or of the South Sea Company, or of any other Company or Corporation - - - | |

| SCHEDULE. | Duty. |
|---|--|
| Heritable BOND in Scotland for any of the Purposes aforesaid.—See MORTGAGE. | £ s. d. |
| BOND in England or Ireland, and Personal Bond in Scotland, given as a Security for the Payment of any Sum of Money, or for the Transfer or Re-transfer of any Share in any of the Stocks or Funds before mentioned, which shall be secured also by a Mortgage or Wadset, or other Instrument or Writing herein-after charged with and which shall have paid the same Duty as a Mortgage or Wadset, or for the Performance of Covenants contained in such Mortgage or other Instrument or Writing, or for both those Purposes, provided such Mortgage, Wadset, or other Instrument or Writing shall bear even Date with and be referred to in such Bond; | |
| Where the Sum of Money or the Value of the Stock or Funds secured shall not exceed 800 <i>l</i> . - - - - - | The same ad valorem Duty as on a Mortgage or Wadset for securing the like Amount or Value.
1 0 0 |
| And where such Sum of Money or Value shall exceed 800 <i>l</i> . - | |
| BOND in England or Ireland, and Personal or Heritable Bond in Scotland, given as an additional or further Security for the Payment of any Sum or Sums of Money, or for the Transfer or Re-transfer of any Share in any of the Stocks or Funds before mentioned, previously secured by a Bond, Mortgage, or other Security therein referred to, and which shall have paid the proper ad valorem Duty on Bonds or Mortgages imposed by Law at the Date thereof; | The same ad valorem Duty as on a Bond or Mortgage for securing the like Sum or Value.
1 15 0 |
| Where the Sum of Money or the Value of the Stock or Funds secured shall not exceed 1,400 <i>l</i> . - - - - - | |
| And where such Sum of Money or the Value of the Stock or Funds secured shall exceed 1,400 <i>l</i> . - - - - - | |
| BOND.—Any Transfer or Assignment, Disposition or Assignment of any such Bond as aforesaid, and which shall have paid the proper ad valorem Duty on Bonds; | The same Duty as on a Bond for the total Amount or Value of such Principal Money or Stock,
1 15 0 |
| Where the Principal Money or Stock secured by the Bond shall not exceed in Amount or Value in the whole the sum of 1,400 <i>l</i> . - - - - - | |
| And in every other Case such Transfer, Assignment, Disposition, or Assignment shall be chargeable with the Duty of - - - | |
| And see PROGRESSIVE DUTY, | The same ad valorem Duty as on a Conveyance upon Sale in consideration of the Sum or Value given or agreed to be given for the Purchase of such Annuity. |
| BOND in England or Ireland, and Personal or Heritable Bond in Scotland, given as the only or principal Security for the Payment of any Annuity upon the original Creation and Sale thereof - - - - - | |
| For the Duty payable, see CONVEYANCE upon the Sale of Property. | |
| BOND in England or Ireland, and Personal Bond in Scotland, given as a collateral or auxiliary Security for the Payment of any Annuity upon the original Creation and Sale thereof, where the same shall be granted or conveyed or secured by any other Deed or Instrument liable to and 672. | |

| SCHEDULE. | Duty. |
|--|--|
| BOND—continued.
charged with the ad valorem Duty imposed by Law on Conveyances upon the Sale of any Property; | £ s. d. |
| Where such ad valorem Duty shall not exceed 20s. such Bond shall be chargeable with a Stamp Duty of equal Amount with the said ad valorem Duty. | |
| And where such ad valorem Duty shall exceed 20s. such Bond shall be chargeable with the Duty of - - - | 1 0 0 |
| BOND in England or Ireland, and Personal or Heritable Bond in Scotland, given as a Security for the Payment of any Annuity, (except upon the original Creation and Sale thereof,) or of any Sum or Sums of Money at stated Periods (not being Interest for any Principal Sum, nor Rent reserved or payable upon any Lease or Tack), for any definite and certain Term, so that the total Amount of the Money to be paid can be previously ascertained | The same ad valorem Duty as on a Bond of the like Nature for the Payment of a Sum of Money equal to such total Amount. |
| BOND in England or Ireland, and Personal or Heritable Bond in Scotland, given as a Security for the Payment of any Annuity, (except as aforesaid,) or of any Sum or Sums of Money at stated Periods (not being Interest for any Principal Sum, nor Rent reserved or payable upon any Lease or Tack), for the Term of Life or any other indefinite Period, so that the whole Money to be paid cannot be previously ascertained; | |
| Where the Annuity or Sum secured shall not exceed 50l. per Annum - - - | 1 0 0 |
| And where the same shall exceed 50l. and not exceed 100l. per Annum - - - | 2 0 0 |
| And where the same shall exceed 100l. per Annum, then for every 100l. per Annum and also for any fractional Part of 100l. per Annum - - - | 2 0 0 |
| But where there shall be both a Personal and Heritable Bond in Scotland in separate Deeds of the same Date for securing any such Annuity or Sums payable at stated Periods, and the ad valorem Duty above charged thereon shall amount to 2l. or upwards, the Heritable Bond only shall be charged with the ad valorem Duty, and the Personal Bond shall be charged only with a Duty of - - - | 1 0 0 |
| BOND of any Kind or Description given for any other Purpose than as aforesaid - - - | The Duty chargeable thereon by any Act or Acts now in force. |
| Provided always, and it is hereby declared, that no such Bond as last-mentioned shall be charged or chargeable under this or any other Act or Acts with any greater Amount of Stamp Duty than the ad valorem Duty herein-before charged upon a Bond given for the Payment of a definite and certain Sum of Money of the same Amount as the Penalty of such Bond. | |
| And in all the said several Cases of BOND see PROGRESSIVE DUTY. | |
| CHARTER of Resignation, or of Confirmation, or of Novodamus, or upon apprising, or upon a Decreet of Adjudication or Sale of any Lands, or other Heritable Subjects in Scotland, holden of any Subject Superior - | 0 5 0 |
| And where the same shall contain 2,160 Words or upwards, then for every entire Quantity of 1,080 Words contained therein over and above the first 1,080 Words a further progressive Duty of - - - | 0 5 0 |

| SCHEDULE. | Duty. |
|---|---------|
| | £ s. d. |
| CONVEYANCE, whether Grant, Disposition, Lease, Assignment, Transfer, Release, Renunciation, or of any other Kind or Description whatsoever, upon the Sale of any Lands, Tenements, Rents, Annuities, or other Property, real or personal, heritable or moveable, or of any Right, Title, Interest, or Claim in, to, out of, or upon any Lands, Tenements, Rents, Annuities, or other Property, that is to say, for and in respect of the principal or only Deed, Instrument, or Writing whereby the Lands or other Things sold shall be granted, leased, assigned, transferred, released, renounced, or otherwise conveyed to or vested in the Purchaser or Purchasers, or any other Person or Persons by his, her, or their Direction; | |
| Where the Purchase or Consideration Money therein or thereupon expressed shall not exceed 25 <i>l</i> . | 0 2 6 |
| And where the same shall exceed 25 <i>l</i> . and not exceed 50 <i>l</i> . | 0 5 0 |
| And where the same shall exceed 50 <i>l</i> . and not exceed 75 <i>l</i> . | 0 7 6 |
| And where the same shall exceed 75 <i>l</i> . and not exceed 100 <i>l</i> . | 0 10 0 |
| And where the same shall exceed 100 <i>l</i> . and not exceed 125 <i>l</i> . | 0 12 6 |
| And where the same shall exceed 125 <i>l</i> . and not exceed 150 <i>l</i> . | 0 15 0 |
| And where the same shall exceed 150 <i>l</i> . and not exceed 175 <i>l</i> . | 0 17 6 |
| And where the same shall exceed 175 <i>l</i> . and not exceed 200 <i>l</i> . | 1 0 0 |
| And where the same shall exceed 200 <i>l</i> . and not exceed 225 <i>l</i> . | 1 2 6 |
| And where the same shall exceed 225 <i>l</i> . and not exceed 250 <i>l</i> . | 1 5 0 |
| And where the same shall exceed 250 <i>l</i> . and not exceed 275 <i>l</i> . | 1 7 6 |
| And where the same shall exceed 275 <i>l</i> . and not exceed 300 <i>l</i> . | 1 10 0 |
| And where the same shall exceed 300 <i>l</i> . and not exceed 350 <i>l</i> . | 1 15 0 |
| And where the same shall exceed 350 <i>l</i> . and not exceed 400 <i>l</i> . | 2 0 0 |
| And where the same shall exceed 400 <i>l</i> . and not exceed 450 <i>l</i> . | 2 5 0 |
| And where the same shall exceed 450 <i>l</i> . and not exceed 500 <i>l</i> . | 2 10 0 |
| And where the same shall exceed 500 <i>l</i> . and not exceed 550 <i>l</i> . | 2 15 0 |
| And where the same shall exceed 550 <i>l</i> . and not exceed 600 <i>l</i> . | 3 0 0 |
| And where the Purchase or Consideration Money shall exceed 600 <i>l</i> , then for every 100 <i>l</i> . and also for any fractional Part of 100 <i>l</i> . | 0 10 0 |
| And it is hereby directed, that the Purchase Money or Consideration shall be truly expressed and set forth in Words at Length in or upon every such principal or only Deed or Instrument of Conveyance; and where such Consideration shall consist either wholly or in part of any Stock or Security, the Value thereof respectively, to be ascertained as herein-after mentioned, shall also be truly expressed and set forth in manner aforesaid in or upon every such Deed or Instrument; and such Value shall be deemed and taken to be the Purchase or Consideration Money, or Part of the Purchase or Consideration Money, as the Case may be, in respect whereof the ad valorem Duty shall be charged as aforesaid. | |
| And where the Consideration or any Part of the Consideration shall be any Stock in any of the Public Funds, or any Government Debenture or Stock of the Bank of England or Bank of Ireland, or any Debenture or Stock of any Corporation, Company, Society, or Persons or Person, payable only at the Will of the Debtor, the said Duty shall be calculated (taking the same respectively, whether constituting the whole or a Part only of such Consideration,) according to the average selling Price thereof respectively on the Day or on either of the Ten Days preceding the Day of the Date of the Deed or Instrument of Conveyance, or if no Sale shall have taken place within such Ten Days, then according to | |

| SCHEDULE. | Duty. |
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| <p>CONVEYANCE—continued.</p> <p>the average selling Price thereof on the Day of the last preceding Sale; and if such Consideration or Part of such Consideration shall be a Mortgage, Judgment, or Bond, or a Debenture, the Amount whereof shall be recoverable by the Holder, or any other Security whatsoever, whether payable in Money or otherwise, then such Calculation shall be made according to the Sum due thereon for both Principal and Interest.</p> <p>And see PROGRESSIVE DUTY.</p> | <p>£ s. d.</p> |
| <p>COPYHOLD ESTATES and Customary Estates passing by Surrender and Admittance, or by Admittance only, and not by Deed: INSTRUMENTS relating thereto upon the Sale or Mortgage of any such Estates; (that is to say,)</p> <p>Any ADMITTANCE out of Court, or the Memorandum thereof, or the Copy of Court Roll of any Admittance in Court - - -</p> <p>And where the same shall contain 2,160 Words or upwards, then for every entire Quantity of 1,080 Words contained therein over and above the first 1,080 Words, a further progressive Duty of - - -</p> <p>And see PROGRESSIVE DUTY.</p> | <p>0 2 6</p> <p>0 2 6</p> |
| <p>COUNTERPART. See DUPLICATE.</p> | |
| <p>COVENANT.—Any separate Deed of Covenant made on the Sale or Mortgage of any Freehold, Leasehold, Copyhold, or Customary Estate, or of any Right or Interest therein (the same not being a Deed chargeable with ad valorem Duty under the Head of CONVEYANCE in this Schedule) for the Conveyance, Assignment, Surrender, or Release of such Estate, Right, or Interest, or for the Title to, or quiet Enjoyment, Freedom from Incumbrances, or further Assurance of, the same Estate, Right, or Interest, or otherwise by way of Indemnity in respect of the same, or for the Production of the Title Deeds or Muniments of Title relating thereto, or for all or any of those Purposes;</p> <p>Where the ad valorem Duty on the Purchase Money or Consideration or on the Mortgage Money shall not exceed the Sum of 10s. - - -</p> <p>And where the same shall exceed that Amount - - -</p> <p>And see PROGRESSIVE DUTY.</p> | <p>A Duty equal to the Amount of such ad valorem Duty.</p> <p>0 10 0</p> |
| <p>COVENANT.—Any Deed containing a Covenant for the Payment or Repayment of any Sum or Sums of Money, or for the Transfer or Re-transfer of any Share or Shares in the Government or Parliamentary Stocks or Funds, or in the Stock and Funds of the Governor and Company of the Bank of England, or of the Bank of Ireland, or of the East India Company, or of the South Sea Company, or of any other Company or Corporation, in any Case where a Mortgage, if made for the like Purpose would be chargeable under this Schedule with any ad valorem Duty exceeding in Amount the Sum of 1l. 15s.; or for the Payment of any Annuity, or any Sums at stated Periods in any Case where a Bond for the like Purpose would be chargeable with any such Duty - - -</p> <p>For the Duty thereon, see BOND or MORTGAGE.</p> <p>And see PROGRESSIVE DUTY.</p> | <p>The same ad valorem Duty as on a Mortgage or Bond respectively for the like Purpose.</p> |

| SCHEDULE. | Duty. |
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| COVENANT — continued. | £ s. d. |
| <p>Provided always, that where any Covenant shall be made as an additional or further Security for the Payment or Repayment, Transfer or Re-transfer of any Sum or Sums of Money, or any Share or Shares in any of the said Stocks or Funds, or for the Payment of any Annuity or Sums at stated Periods, at the same Time or already or previously secured by any Bond or other Instrument mentioned and referred to by the Deed containing such Covenant, and chargeable with and which shall have paid the proper ad valorem Duty under the Head of BOND or MORTGAGE, or (as respects any Annuity) under the Head of CONVEYANCE, respectively in this Schedule, or under any Act or Acts in force at the Date thereof, in respect of the same Sum or Sums, Share or Shares, the said ad valorem Duty hereby charged shall not be payable upon or in respect of such Covenant; and if required for the sake of Evidence the Deed containing such Covenant shall, on the same and such Bond or other Instrument being produced duly stamped in other respects, be stamped with a particular Stamp for denoting or testifying the Payment of the ad valorem Duty hereby charged.</p> | |
| <p>EXEMPTION from the preceding ad valorem Duty, but not from any other Duty to which the same may be liable.</p> | |
| <p>Any Covenant contained in any Deed chargeable with any Duty under the Head of MORTGAGE in this Schedule, or in any Deed exempted from the ad valorem Duty on Mortgages by the Act 3 Geo. 4. c. 117., such Deeds hereby exempted operating as a Security by way of Mortgage, or as a Transfer, Assignment, Disposition, or Assignment, hereinafter charged, for the same Sum or Sums of Money, or Share or Shares in any of the said Stocks or Funds, which is or are the Subject of such Covenant.</p> | |
| <p>Also any Covenant contained in any Deed chargeable with any Duty under the Head of SETTLEMENT in this Schedule, in respect of the same Sum or Sums of Money, or Share or Shares in any of the said Stocks or Funds, which is or are the Subject of such Covenant.</p> | |
| <p>DUPLICATE or COUNTERPART of any Deed or Instrument, of any Description whatever, chargeable with any Stamp Duty or Duties, either under this Schedule or any other Act or Acts now in force ;</p> | |
| <p>Where such Stamp Duty or Duties chargeable as aforesaid (exclusive of progressive Duty) shall not amount to the Sum of Five Shillings - - - - -</p> | <p>The same Duty or Duties as shall be chargeable on the original Deed or Instrument, including the progressive Duty thereon (if any).</p> |
| <p>And where the same (exclusive as aforesaid) shall amount to the Sum of Five Shillings or upwards - - - - -</p> | <p>0 5 0</p> |
| <p>And where in the latter Case any such Deed or Instrument, together with any Schedule, Receipt, or other Matter put or endorsed thereon or annexed thereto shall contain 2,160 Words or upwards, then for every entire Quantity of 1,080 Words contained therein, over and above the first 1,080 Words, such Duplicate or Counterpart shall be charged with the further progressive Duty of - - - - -</p> | <p>0 2 6</p> |

| SCHEDULE. | Duty. |
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| DUPLICATE or COUNTERPART —continued. | £ s. d. |
| <p>Provided always, that in such latter Case the Duplicate or Counterpart shall not be available unless stamped with a particular Stamp for denoting or testifying the Payment of the full and proper Stamp Duty on the original Deed or Instrument, which said particular Stamp shall be impressed upon such Duplicate or Counterpart, on the same being produced, together with the original Deed or Instrument, and on the whole being duly executed and duly stamped in all other respects.</p> | |
| <p>LEASE or TACK of any Lands, Tenements, Hereditaments, or Heritable Subjects, granted in consideration of a Sum of Money by way of Fine, Premium, or Grassum paid for the same, without any yearly Rent, or with any yearly Rent under 20<i>l</i>. - - - -</p> | <p>The same Duty as for a Conveyance on the Sale of Lands for a Sum of Money of the same Amount.</p> |
| <p>For the Duty thereon see CONVEYANCE.
 (Save and except Leases and Tacks for a Life or Lives not exceeding Three, or for a Term of Years determinable with a Life or Lives not exceeding Three, by whomsoever granted, and Leases for a Term absolute not exceeding Twenty-one Years, granted by Ecclesiastical Corporations, aggregate or sole, where the Duties on such Leases and Tacks respectively would, under the Provisions of this Act, amount to 1<i>l</i>. 15<i>s</i>. or upwards.)</p> | |
| <p>LEASE or TACK of any Lands, Tenements, Hereditaments, or Heritable Subjects at a yearly Rent, without any Sum of Money by way of Fine, Premium, or Grassum paid for the same ;</p> | |
| <p>Where the yearly Rent shall not exceed 5<i>l</i>. - - - -</p> | 0 0 6 |
| <p>And where the same shall exceed 5<i>l</i>. and not exceed 10<i>l</i>. - -</p> | 0 1 0 |
| <p>And where the same shall exceed 10<i>l</i>. and not exceed 15<i>l</i>. - -</p> | 0 1 6 |
| <p>And where the same shall exceed 15<i>l</i>. and not exceed 20<i>l</i>. - -</p> | 0 2 0 |
| <p>And where the same shall exceed 20<i>l</i>. and not exceed 25<i>l</i>. - -</p> | 0 2 6 |
| <p>And where the same shall exceed 25<i>l</i>. and not exceed 50<i>l</i>. - -</p> | 0 5 0 |
| <p>And where the same shall exceed 50<i>l</i>. and not exceed 75<i>l</i>. - -</p> | 0 7 6 |
| <p>And where the same shall exceed 75<i>l</i>. and not exceed 100<i>l</i>. - -</p> | 0 10 0 |
| <p>And where the same shall exceed 100<i>l</i>. then for every 50<i>l</i>. and also for any fractional Part of 50<i>l</i>. - - - -</p> | 0 5 0 |
| <p>LEASE or TACK of any Lands, Tenements, Hereditaments, or Heritable Subjects, granted in consideration of a Sum of Money by way of Fine, Premium, or Grassum, and also of a yearly Rent amounting to 20<i>l</i>. or upwards - - - -</p> <p>(Save and except the Leases and Tacks herein-before excepted.)</p> | <p>Both the ad valorem Duties payable for a Lease in consideration of a Fine only and for a Lease in consideration of a Rent only of the same Amount.</p> |
| <p>LEASE or TACK of any Mine or Minerals or other Property of a like Nature, either with or without any other Lands, Tenements, Hereditaments, or Heritable Subjects, where any Portion of the Produce of such Mines or Minerals shall be reserved to be paid in Money or Kind ;</p> <p>If it shall be stipulated that the Value of such Portion of the Produce shall amount at least to a given Sum per Annum, or if such Value shall be limited not to exceed a given Sum per Annum, to be specified in such Lease or Tack, then the said ad valorem Duty on Leases shall be charged in respect of the highest of such Sums so given or limited for any Year during the Term of such Lease or Tack.</p> | |

| SCHEDULE. | Duty. |
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| LEASE—continued. | £ s. d. |
| <p>And where any yearly Sum shall be reserved in addition to or together with such Produce, relative to the yearly Amount or Value of which Produce there shall be no such Stipulation or Limitation as aforesaid, the said ad valorem Duty shall be charged in respect of such yearly Sum.</p> | |
| <p>And where both a certain yearly Sum and also such Produce relative to the yearly Amount or Value of which there shall be such Stipulation or Limitation as aforesaid shall be reserved, the said ad valorem Duty shall be charged on the aggregate of such yearly Sum and also of the highest yearly Amount or Value of such Produce.</p> | |
| GENERAL REGULATIONS as to Leases and Tacks : | |
| <p>Where, in any of the aforesaid several Cases of Lease or Tack, any Fine, Premium, Grassum, or any Rent, payable under any Lease or Tack, shall consist wholly or in part of Corn, Grain, or Victual, the Value of such Corn, Grain, or Victual shall be ascertained or estimated at and after any permanent Rate of Conversion which the Lessee may be specially charged with, or have it in his Option to pay; and if no such permanent Rate of Conversion shall have been stipulated, then in England and Ireland respectively at and after the Prices, upon an Average of Twelve Calendar Months preceding the First Day of January next before the Date of such Lease or Tack, of the average Prices of British Corn published in the London Gazette in the Manner directed by any Act in force for the Commutation of Tithes in England and Wales, and in Scotland at and after the Fairs Prices of the County in which the Lands or any Part thereof lie, upon an average of Seven Years preceding the Date of such Lease or Tack; and such respective Values shall be deemed and taken to be the Fine, Premium, or Grassum, or yearly Rent, or Part thereof respectively, as the Case may be, in respect whereof the ad valorem Duty shall be charged as aforesaid.</p> | |
| <p>And where separate and distinct Fines, Premiums, or Grassums shall be paid to several Lessors, being Joint Tenants, Tenants in Common, or Coparceners, in England or Ireland, or Proprietors pro indiviso in Scotland, who shall by one and the same Deed or Instrument jointly or severally demise or lease the Lands, Tenements, Hereditaments, or Heritable Subjects of which they are such Joint Tenants, Tenants in Common, or Coparceners, in England or Ireland, or Proprietors pro indiviso in Scotland, or where separate and distinct Rents shall be by one and the same Deed or Instrument reserved or made payable, or agreed to be reserved or made payable, to the Lessor or to several Lessors, being such Joint Tenants, Tenants in Common, or Coparceners, in England or Ireland, or Proprietors pro indiviso in Scotland, the ad valorem Duties shall be charged in respect of the aggregate Amount of such Fines, Premiums, or Grassums, and of such Rents respectively.</p> | |

| SCHEDULE. | Duty. |
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| LEASE —continued. | £ s. d. |
| <p>And where any Person, having contracted for, but not having obtained, a Lease of any Lands or other Property, shall contract to sell such Lands or other Property, or any Part thereof, or his Right or Interest therein or thereto, to any other Person, and a Lease shall accordingly be granted to such other Person, the Purchase Money or Consideration which shall be paid or given or agreed to be paid or given to the Person immediately selling to such Lessee shall be set forth in such Lease, and such Lease shall be charged as well with the said ad valorem Duty on such Purchase Money or Consideration as with the Duty on the Purchase Money or Consideration or Rent paid or reserved to the Lessor.</p> | |
| <p>LEASE or TACK, of any Kind, not otherwise charged - - -</p> <p>Provided always, that no ad valorem Duty shall be chargeable in respect of any penal Rent, or increased Rent in the Nature of a penal Rent, reserved in any such Lease or Tack as aforesaid.</p> | 1 15 0 |
| <p>LEASE—Any Assignment or Surrender of a Lease or Tack upon any other Occasion than a Sale or Mortgage - - -</p> <p>Provided always, that where a similar Lease or Tack would be chargeable under this Act with any Stamp Duty amounting to 17. 15s. or upwards, then such Assignment or Surrender shall be chargeable only with a Duty of - - -</p> <p>Provided also, that no Stamp Duty, except the said ad valorem Duty shall be chargeable for or in respect of any Lease, whether in Possession, Reversion, or Remainder, expressed to be granted in Consideration of the Surrender of an existing Lease and also of a Sum of Money.</p> <p>And in all the said several Cases of LEASE or TACK see PROGRESSIVE DUTY.</p> | <p>A Duty equal to the ad valorem Duty with which a similar Lease or Tack would be chargeable under this Act.</p> <p>1 15 0</p> |
| <p>MEMORIAL to be registered pursuant to any Act of Parliament made or to be made for the public registering of Deeds and Conveyances in England or Ireland; (that is to say,) For every Piece of Vellum, Parchment, or Paper upon which any such Memorial shall be written - - -</p> | 0 2 6 |
| <p>MORTGAGE, Conditional Surrender by way of Mortgage, Further Charge, Wadset, and Heritable Bond, Disposition, Assignment, or Tack in Security, and Eik to a Reversion, of or affecting any Lands, Estate, or Property, real or personal, heritable or moveable, whatsoever :</p> <p>Also any Deed containing an Obligation to infest any Person in an Annual Rent, or in Lands or other Heritable Subjects, in Scotland, under a Clause of Reversion, but without any Personal Bond or Obligation therein contained for Payment of the Money or Stock intended to be secured :</p> | |

| SCHEDULE. | Duty. |
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| MORTGAGE —continued. | £ s. d. |
| Also any Conveyance of any Lands, Estate, or Property whatsoever, in trust to be sold or otherwise converted into Money, which shall be intended only as a Security, and shall be redeemable before the Sale or other Disposal thereof, either by express Stipulation or otherwise, except where such Conveyance shall be made for the Benefit of Creditors generally, or for the Benefit of Creditors specified, who shall accept the Provision made for Payment of their Debts in full Satisfaction thereof, or who shall exceed Five in Number: | |
| Also any Defeasance, Letter of Reversion, Back Bond, Declaration, or other Deed or Writing for defeating or making redeemable or explaining or qualifying any Conveyance, Disposition, Assignment, or Tack of any Lands, Estate, or Property whatsoever, which shall be apparently absolute, but intended only as a Security: | |
| Also any Agreement, Contract, or Bond, accompanied with a Deposit of Title Deeds for making a Mortgage, Wadset, or any such other Security or Conveyance as aforesaid of any Lands, Estate, or Property comprised in such Title Deeds, or for pledging or charging the same as a Security: | |
| And also any Deed whereby a Real Burden shall be declared or created on Lands or Heritable Subjects in Scotland: | |
| Where the same respectively shall be made as a Security for the Payment of any definite and certain Sum of Money advanced or lent at the Time, or previously due and owing, or forborne to be paid, being payable, | |
| Not exceeding 50 <i>l</i> . - - - - - | 0 1 3 |
| Exceeding 50 <i>l</i> . and not exceeding 100 <i>l</i> . - - - - - | 0 2 6 |
| Exceeding 100 <i>l</i> . and not exceeding 150 <i>l</i> . - - - - - | 0 3 9 |
| Exceeding 150 <i>l</i> . and not exceeding 200 <i>l</i> . - - - - - | 0 5 0 |
| Exceeding 200 <i>l</i> . and not exceeding 250 <i>l</i> . - - - - - | 0 6 3 |
| Exceeding 250 <i>l</i> . and not exceeding 300 <i>l</i> . - - - - - | 0 7 6 |
| And where the same shall exceed 300 <i>l</i> ., then for every 100 <i>l</i> . and also for any fractional Part of 100 <i>l</i> . - - - | 0 2 6 |
| And where the same respectively shall be made as a Security for the Repayment of Money to be thereafter lent, advanced, or paid, or which may become due upon an Account Current, together with any Sum already advanced or due, or without, as the Case may be, other than and except any Sum or Sums of Money to be advanced for the Insurance of any Property comprised in such Mortgage or Security against Damage by Fire, or to be advanced for the Insurance of any Life or Lives, or for the Renewal of any Grant or Lease upon the dropping of any Life or Lives, pursuant to any Agreement in any Deed whereby any Estate or Interest held upon such Life or Lives shall be granted, assigned, or assured, or whereby any Annuity shall be granted or secured for such Life or Lives; | |
| If the total Amount of the Money secured or to be ultimately recoverable thereupon shall be limited not to exceed a given Sum - - - - - | The same Duty as on a Mortgage or Wadset for such limited Sum. |

| SCHEDULE. | Duty. |
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| MORTGAGE—continued. | £ s. d.. |
| <p>And if the total Amount of the Money secured or to be ultimately recoverable thereupon shall be uncertain and without any Limit, then the same shall be available as a Security or Charge for such an Amount only of Money or Stock intended to be thereby secured as the ad valorem Duty denoted by any Stamp or Stamps thereon will extend to cover.</p> <p>And where the same respectively shall be made as a Security for the Transfer or Re-transfer of any Share in any of the Government or Parliamentary Stocks or Funds, or in the Stock and Funds of the Governor and Company of the Bank of England, or of the Bank of Ireland, or of the East India Company, or of the South Sea Company, or of any other Company or Corporation, in consideration of Stock or Money advanced or lent at the Time, or previously due and owing, or forborne to be paid, being payable - -</p> | <p>The same Duty as on a Mortgage or Wadset for a Sum of Money equal to the Value of the Stock or Fund secured according to the average Price thereof on the Day of the Date of the Mortgage or other Instrument aforesaid, or on either of the Ten Days preceding, or if there shall not have been any known Sale on any of such Days, then on the latest Day preceding on which there shall have been a known Sale.</p> |
| <p>MORTGAGE.—And where any such Deed or Instrument as aforesaid shall be made respectively as a Security for the Payment of any Rent-charge or Annuity, or any Sum or Sums of Money by way of Repayment, or in Satisfaction or Discharge, or in Redemption of any Sum of Money lent, advanced, or paid, as or for or in the Nature of a Loan intended to be repaid, satisfied, discharged, or redeemed, in manner aforesaid - - - - -</p> | <p>The same Duty as on a Mortgage or Wadset for the Sum of Money so lent, advanced, or paid.</p> |
| <p>MORTGAGE.—Any Transfer or Assignment, Disposition, or Assignment of any Mortgage or Wadset, or of any such other Security as aforesaid, or of the Benefit thereof, or of the Money or Stock thereby secured;</p> <p>Where no further Sum of Money or Stock shall be added to the Principal Money or Stock already secured,</p> <p>If such Principal Money or Stock already secured shall not exceed in Amount or Value in the whole the Sum of 1,400l. - - -</p> <p>And if such Principal Money or Stock shall exceed in Amount or Value in the whole the Sum of 1,400l. - - -</p> <p>And where any further Sum of Money or Stock shall be added to the Principal Money or Stock already secured -</p> <p>And in every other Case not herein-before expressly provided for, such Transfer, Assignment, Disposition, or Assignment, shall be chargeable with the Duty of - - - - -</p> <p>Provided always, that no such Deed or Instrument as aforesaid shall in any of the said several Cases be chargeable with any</p> | <p>The same Duty as on a Mortgage or Wadset for the total Amount or Value of such Principal Money or Stock.</p> <p>1 15 0</p> <p>The same Duty as on a Mortgage or Wadset for such further Money or Stock only.</p> <p>1 15 0</p> |

| SCHEDULE. | Duty. |
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| <p>MORTGAGE—continued.
 further or other Duty than is herein expressly provided (except progressive Duty), by reason of its containing any further or additional Security for the Payment or Transfer or Re-transfer of such Money or Stock, or any Interest or Dividends thereon, or any new Covenant, Proviso, Power, Stipulation, or Agreement, or other Matter whatever in relation to such Money or Stock, or the Interest or Dividends thereon, or by reason of its containing all or any of such Matters.</p> | <p>£ s. d.</p> |
| <p>MORTGAGE.—Any Deed or Instrument made for the further Assurance only of any Estate or Property which shall have been already mortgaged, pledged, or charged as a Security, by any Deed or Instrument which shall have paid the ad valorem Duty on Mortgages or Bonds chargeable under any Act or Acts in force at the Time of making such last-mentioned Deed or Instrument.</p> <p>Also any Deed or Instrument made as an additional or further Security for any Sum or Sums of Money, or any Share or Shares of any of the Stocks or Funds before mentioned, which shall have been already secured by any Deed or Instrument which shall have paid the said ad valorem Duty on Mortgages or Bonds chargeable as aforesaid, shall be chargeable respectively with the following Duties; (that is to say,)</p> | |
| <p>Where the total Amount or Value of the Money or Stock already secured, and in respect whereof the said ad valorem Duty shall have been paid, shall not exceed the Sum of 1,400<i>l</i>. -</p> | <p>The same Duty as on a Mortgage or Wadset for the Amount or Value of the said Money or Stock.</p> |
| <p>And in any other Case - - - - -</p> | <p>1 15 0</p> |
| <p>Provided always, that if any further Sum of Money or Stock shall be added to the Principal Money or Stock already secured, such Deed or Instrument for further Assurance, or additional or further Security, shall be chargeable only (exclusive of progressive Duty) with the ad valorem Duty on Mortgages under this Act, in respect of such further Sum of Money or Stock in lieu of the Duty aforesaid, notwithstanding that the same Deed or Instrument may also contain any Covenant, Proviso, Power, Stipulation, or Agreement, or other Matter whatever in relation to the Money or Stock already secured, or the Interest or Dividends thereon.</p> | |
| <p>MORTGAGE.—Any Reconveyance, Release, Surrender, Discharge, or Renunciation of any Mortgage or Wadset, or of any other such Security as aforesaid, or the Benefit thereof, or of the Money or Stock thereby secured;</p> | |
| <p>Where the total Amount of the Principal Money or Stock at any Time secured shall not exceed the Sum of 1,400<i>l</i>. - -</p> | <p>The same Duty as on a Mortgage or Wadset for the Amount or Value of the said Money or Stock.</p> |
| <p>And in any other Case - - - - -</p> | <p>1 15 0</p> |
| <p>And in all the said several Cases of Deeds and Instruments chargeable under the Head of MORTGAGE see PROGRESSIVE DUTY.</p> | |

| SCHEDULE. | Duty. |
|---|---------|
| | £ s. d. |
| PRECEPT of Clare Constat to give Seisin of Lands or other Heritable Subjects in Scotland - - - - - | 0 5 0 |
| And where the same shall contain 2,160 Words or upwards, then for every entire Quantity of 1,080 Words contained therein over and above the first 1,080 Words a further progressive Duty of - - - - - | 0 5 0 |
| PROGRESSIVE DUTY; that is to say;—Where any Deed or Instrument of any Description whatever chargeable with any Stamp Duty either under this Schedule or under any other Act or Acts now in force, together with any Schedule, Receipt, or other Matter put or endorsed thereon or annexed thereto, shall contain 2,160 Words or upwards, then for every entire Quantity of 1,080 Words contained therein, over and above the first 1,080 Words, there shall be charged the further progressive Duty following; (that is to say,) | |
| Where such Deed or Instrument shall be chargeable with any ad valorem Stamp Duty or Duties not exceeding in the whole the Sum of Ten Shillings, a further progressive Duty equal to the Amount of such ad valorem Duty or Duties. | |
| And in every other Case (except where any other progressive Duty is by this Schedule expressly charged thereon), a further progressive Duty of - - - - - | 0 10 0 |
| Provided always, that nothing herein contained shall extend to charge the said progressive Duty in any Case in which express Provision is made by any such Act or Acts as aforesaid for charging a certain Duty on every Skin, Sheet, or Piece of Vellum, Parchment, or Paper in on upon which any Deed or Instrument shall be contained or written, or to charge with progressive Duty any Description of Deed or Instrument not chargeable with progressive Duty under any Act or Acts now in force, or to charge any Deed or Instrument with any higher Rate or Amount of progressive Duty than is now chargeable on a Deed or Instrument of the like Description under any such Act or Acts as aforesaid. | |
| RESIGNATION.—Principal or original Instrument of Resignation, or Service of Cognition of Heirs, or Charter or Seisin of any Houses, Lands, or other Heritable Subjects in Scotland holding Burgage or of Burgage Tenure - - - - - | 0 5 0 |
| Also Instrument of Resignation of any Lands or other Heritable Subjects in Scotland not of Burgage Tenure - - - - - | 0 5 0 |
| And where any of the said Instruments shall contain 2,160 Words or upwards, then for every entire Quantity of 1,080 Words contained therein over and above the first 1,080 Words a further progressive Duty of - - - - - | 0 5 0 |
| SCHEDULE, Inventory, or Catalogue of any Lands, Hereditaments, or Heritable Subjects, or of any Furniture, Fixtures, or other Goods or Effects, or containing the Terms and Conditions of any proposed Sale, Lease, or Tack, or the Conditions and Regulations for the Cultivation or Management of any Farm Lands or other Property leased or agreed to be leased, or containing any other Matter or Matters of Contract or | |

| SCHEDULE. | Duty. |
|--|--|
| SCHEDULE —continued. | £ s. d. |
| Stipulation whatsoever, which shall be referred to in or by and be intended to be used or given in Evidence as Part of or as material to any Agreement, Lease, Tack, Bond, Deed, or other Instrument charged with any Duty, but which shall be separate and distinct from and not indorsed on or annexed to such Agreement, Lease, Tack, Bond, Deed, or other Instrument; | |
| Where any such Schedule, Inventory, or Catalogue shall be so referred to in or by any such Agreement, Lease, Tack, Bond, Deed, or other Instrument chargeable with any Stamp Duty not exceeding 10s., exclusive of progressive Duty - | The same Duty (exclusive of progressive Duty) as shall be so chargeable on such Agreement, Lease, Tack, Bond, Deed, or other Instrument. |
| And where any such Schedule, Inventory, or Catalogue shall be referred to in or by any Lease, Tack, Bond, Deed, or such other Instrument as aforesaid, chargeable with any Stamp Duty exceeding Ten Shillings, exclusive of progressive Duty | 0 10 0 |
| And if in any of the said Cases such Schedule, Inventory, or Catalogue shall contain 2,160 Words or upwards, then for every entire Quantity of 1,080 Words contained therein over and above the first 1,080 Words - - - | A further progressive Duty of the same Amount as the Duty hereinbefore charged thereon respectively. |
| SEISIN. —Instruments of Seisin given upon Charter, Precept of Clare Constat, or Precept from Chancery, or upon any Wadset, Heritable Bond, Disposition, Apprising, Adjudication, or otherwise of any Lands or Heritable Subjects in Scotland not of Burgage Tenure - - | 0 5 0 |
| And where the same shall contain 2,160 Words or upwards, then for for every entire Quantity of 1,080 Words contained therein over and above the first 1,080 Words a further progressive Duty of - - - - - | 0 5 0 |
| SETTLEMENT. —Any Deed or Instrument, whether voluntary or gratuitous, or upon any good or valuable Consideration other than a bona fide pecuniary Consideration, whereby any definite and certain Principal Sum or Sums of Money, (whether charged or chargeable on Lands or other Hereditaments or Heritable Subjects, or not, or to be laid out in the Purchase of Lands or other Hereditaments or Heritable Subjects, or not,) or any definite and certain Share or Shares in any of the Government or Parliamentary Stocks or Funds, or in the Stock and Funds of the Governor and Company of the Bank of England, or of the Bank of Ireland, or of the East India Company, or of the South Sea Company, or of any other Company or Corporation, shall be settled or agreed to be settled upon or for the Benefit of any Person or Persons, either in possession or reversion, either absolutely, or for Life or other partial Interest, or in any other Manner whatsoever; | |
| If such Sum or Sums of Money, or the Value of such Share or Shares in all or any of the said Stocks or Funds, or of such One or more of the said Articles as shall be so settled or agreed to be settled, or both such Sum or Sums of Money and the Value of One or more of such Articles together, shall not exceed in the whole 100£ - - - | 0 5 0 |

| SCHEDULE. | Duty. |
|--|--|
| SETTLEMENT—continued. | £ s. d. |
| And if the same shall exceed 100 <i>l.</i> , then for every 100 <i>l.</i> and also for any fractional Part of 100 <i>l.</i> - - - | 0 5 0 |
| And all Deeds or Instruments chargeable with the said ad valorem Duty which shall also contain any Settlement of Lands or other Property, or contain any other Matter or Thing besides the Settlement of such Money or Stock, shall be chargeable with such further Stamp Duty as any separate Deed or Instrument containing such Settlement of Lands or other Property, or other Matter or Thing, would have been chargeable with, exclusive of the progressive Duty. | |
| And where there shall be more than One such Deed or Instrument for effecting any such Settlement as aforesaid, chargeable with any such Duty or Duties exceeding 1 <i>l.</i> 15 <i>s.</i> , one of them only shall be charged with the said ad valorem Duty; and also where any Settlement shall be made in pursuance of any previous Articles chargeable with and which shall have paid any such Duty or Duties exceeding 1 <i>l.</i> 15 <i>s.</i> such last-mentioned Settlement shall not be chargeable with the said ad valorem Duty; and the said Deeds and Instruments respectively not chargeable with the said ad valorem Duty shall be charged with the Duty to which the same may be liable under any more general Description in this Schedule, or in the Schedule annexed to the said Act of the Fifty-fifth Year of the Reign of King George the Third; and on the whole being produced, duly executed and duly stamped, as hereby required, the latter shall also be stamped with a particular Stamp for denoting or testifying the Payment of the said ad valorem Duty. | |
| And see PROGRESSIVE DUTY. | |
| WARRANT OF ATTORNEY (with or without a Release of Errors) to confess and enter up a Judgment in any of Her Majesty's Courts at Westminster or in Ireland, or in any of the Courts of the Counties Palatine of Lancaster and Durham, or in any other Court of Record holding Pleas, where the Debt or Damage amounts to 40 <i>s.</i> , which shall be given as a Security for the Payment of any Sum or Sums of Money, or for the Transfer of any Share or Shares in any of the Government or Parliamentary Stocks or Funds, or in the Stock and Funds of the Governor and Company of the Bank of England, or of the Bank of Ireland, or of the East India Company, or of the South Sea Company, or of any other Company or Corporation - | The same Duty as on a Bond for the like Purpose. |
| Save and except where such Payment or Transfer shall be already secured by a Bond, Mortgage, or other Security which shall have paid the proper ad valorem Duty on Bonds or Mortgages imposed by Law at the Date thereof, exceeding in Amount the Sum of 5 <i>s.</i> ; and also except where the Warrant of Attorney shall be given for securing any Sum or Sums of Money exceeding 200 <i>l.</i> , for which the Person giving the same shall then be in actual Custody under an Arrest on Mesne Process or in Execution; and in those excepted Cases a Duty of - | |
| WARRANT OF ATTORNEY not otherwise charged in this Schedule - | 1 15 0 |

Stamp Duties.

(No. 2.)

A

B I L L

[AS AMENDED BY THE COMMITTEE]

To repeal certain Stamp Duties, and to grant others in lieu thereof; and to amend the Laws relating to the Stamp Duties.

(Prepared and brought in by
Mr. Bernal, The Chancellor of the Exchequer, and
Mr. Hayter.)

Ordered, by The House of Commons, to be Printed,
5 August 1850.

672.

Under 5 oz.

5 July 1850. 13 & 14 VICT.



A

B I L L

TO

Continue the Exemption of Inhabitants from Liability to be rated as such in respect of Stock in Trade or other Property to the Relief of the Poor.

[Note.—The Words printed in *Italics* are proposed to be inserted in the Committee.]

WHEREAS an Act was passed in the Fourth Year of the Preamble.
Reign of Her present Majesty, intituled “An Act to 3 & 4 Vict.
“ exempt until the Thirty-first Day of December One c. 89.
“ thousand eight hundred and forty-one Inhabitants of Parishes,
5 “ Townships, and Villages from Liability to be rated as such in
“ respect of Stock in Trade or other Property to the Relief of the
“ Poor:” And whereas the said Act hath been since continued by
sundry Acts until the First Day of October in the Year One thousand
eight hundred and fifty, and to the End of the then next Session of
10 Parliament; and it is expedient that the said Act should be further
continued: Be it enacted by the Queen’s most Excellent Majesty, by
and with the Advice and Consent of the Lords Spiritual and Temporal,
and Commons, in this present Parliament assembled, and by the
Authority of the same, That the first-mentioned Act shall continue
15 in force until the *First Day of October in the Year One thousand* Recited Act
eight hundred and fifty-one, and to the End of the then next Session further con-
of Parliament. tinued.

519.

II. And

Act may be amended, &c. II. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

Stock in Trade.

A

B I L L

To continue the Exemption of Inhabitants from Liability to be rated as such in respect of Stock in Trade or other Property to the Relief of the Poor.

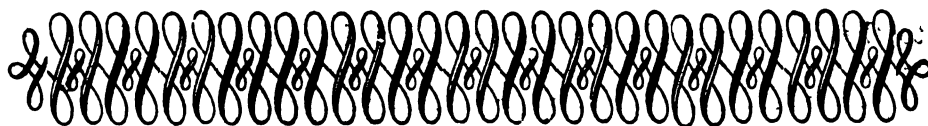
*(Prepared and brought in by
Mr. Cornwall Lewis and Sir George Grey.)*

*Ordered, by The House of Commons, to be Printed,
5 July 1850.*

519.

Under 1 oz.

17 May 1850. 13 VICT.



(Ireland.)

A

B I L L

TO

Consolidate and amend the Acts relating to certain
Offences and pecuniary Claims as to which Jus-
tices of the Peace exercise a summary Jurisdiction
in Ireland.

[Note.—The Words printed in *Italics* are proposed to be inserted
in the Committee.]

WHEREAS it is expedient to consolidate and amend the Preamble.
Acts by which Justices of the Peace are empowered to
adjudicate in a summary Way as to certain Offences and
pecuniary Claims in Ireland: Be it therefore enacted by the Queen's
5 most Excellent Majesty, by and with the Advice and Consent of the
Lords Spiritual and Temporal, and Commons, in this present Par-
liament assembled, and by the Authority of the same, That it shall
be lawful for any Justice or Justices within his or their Jurisdiction
to hear and determine under the Provisions of this Act, either on the
10 Oath of One or more credible Witnesses, or on the Confession of the
Person against whom the Complaint shall be made; all Complaints
relating to the Offences and pecuniary or other Claims herein-after
mentioned. Justices may
decide all
Cases under
this Act
on Evidence
of Witnesses
or Confes-
sion.

II. And be it enacted, That any Person who shall commit any
15 of the next following Offences shall on Conviction thereof be liable
358.

A.

CRIMINAL
JURISDICTION.

*Malicious
Injury to
Persons.*

to the Punishment herein-after specified in each Case ; that is to say,

Common Assaults.

10 G. 4. c. 34. s. 36.

Assaults with Intent to prevent Sale of Corn, &c. 11 G. 3. c. 7. s. 1.

The preceding Provisions not to apply to aggravated Assaults ; 10 G. 4. c. 34. s. 38. ; nor to any Assault where a Title to Lands, &c. is in question.

Any Person who shall unlawfully assault or beat any other Person shall be liable to a Fine not exceeding the Sum of *Forty Shillings*, or to be imprisoned for a Term not exceeding *One Month* : 5

Any Person who shall assault or beat or use any other Violence to any other Person with Intent to deter him from buying or selling any Corn or other agricultural or Garden Produce in any Market or other Place, or to stop the Conveyance of same, shall be liable to a Fine not exceeding the Sum of *Five Pounds*, or to be imprisoned for a Term not exceeding *Three Months* : 10

Provided always, that in case the Justice shall find any such Assaults as aforesaid to have been accompanied by any Attempt to commit Felony, or shall be of opinion that the same is from any other Circumstance a fit Subject for a Prosecution by Indictment, he shall abstain from any Adjudication thereupon, and shall deal with the Case in all respects as one to be prosecuted at the Assizes or Quarter Sessions ; and nothing herein contained shall authorize any Justice to hear and determine in a summary Way any Case of Assault in which any Question shall arise as to the Title to any Lands, Tenements, or Hereditaments, or any Interest therein or accruing thereupon, or as to any Bankruptcy or Insolvency or any Execution under the Process of any Court of Justice. 15 20

Malicious Injury to Property.

Justices may order Compensation and also Punishment in following Cases :

Journeyman, &c. for spoiling Goods or Work. 9 G. 4. c. 56. s. 5.

Destroying, &c. any Fruit or vegetable Production in a Garden, &c. 9 G. 4. c. 56. s. 21.

III. And be it enacted, That any Person who shall commit any of the next following Offences shall on Conviction thereof pay such Amount of Compensation to the Party aggrieved as the convicting Justice or Justices shall direct, and in addition thereto shall be liable to the Punishment herein-after specified in each Case ; that is to say, 25

Any Artificer, Workman, Journeyman, Apprentice, Servant, or Labourer who shall wilfully and unlawfully damage, spoil, or destroy any Goods, Wares, or Work committed to his Care or Charge, without the Consent of the Person by whom he shall be hired, retained, or employed, shall be liable to a Fine not exceeding, together with any Compensation ordered, the Sum of *Five Pounds*, or to be imprisoned for a Term not exceeding *Three Months* : 30 35

Any Person who shall unlawfully and maliciously destroy, or damage with Intent to destroy, any Plant, Fruit, or vegetable Production growing in any Garden, Orchard, Nursery Ground, Hot-house, Green-house, or Conservatory, shall be liable to a Fine not exceeding, together with any Compensation ordered, the Sum of *Twenty Pounds*, or to be imprisoned for any Term not exceeding *Six Months* : 40

Any

*Malicious
Injury to
Persons.*

- Any Person who shall unlawfully and maliciously destroy, or damage with Intent to destroy, any Plant, Fruit, or cultivated vegetable Production growing in any Land, open or inclosed, not being a Garden, Orchard, or Nursery Ground, shall for the first Offence
 5 be liable to a Fine not exceeding, in addition to any Compensation ordered, the Sum of *Forty Shillings*, or to be imprisoned for a Term not exceeding *One Calendar Month*; and for any second or subsequent like Offence shall be liable to a Fine not exceeding, in addition to any Compensation ordered, the Sum of *Five Pounds*,
 10 or to be imprisoned for a Term not exceeding *Six Months*:
 Any Person who shall, between Sunrise and Sunset, unlawfully and maliciously cut, break, bark, root up, or otherwise destroy or damage the whole or any Part of any Tree, Sapling, or Shrub, or any Underwood, the Injury done being under the Value of *Five*
 15 *Pounds*, shall be liable to a Fine not exceeding, together with any Compensation ordered, the Sum of *Ten Pounds*, or to be imprisoned for a Term not exceeding *Twelve Months*:
 Any Person who shall unlawfully and maliciously damage or destroy any Fence of any Description whatsoever, or any Wall, Stile, or
 20 Gate, or any Part thereof respectively, shall for the first Offence be liable to a Fine not exceeding, together with any Compensation ordered, a Sum of *Five Pounds*; and for any second or subsequent Offence he shall be liable to a Fine not exceeding, together with any Compensation ordered, the Sum of *Ten Pounds*,
 25 or be imprisoned for a Term not exceeding *Twelve Months*:
 Any Person who shall unlawfully stop or seize upon any Waggon, Cart, or other Carriage, or Horse, loaded with Corn, Potatoes, or other Provisions, in or on the Way to or from any Market or Place of shipping same, or shall maliciously damage or destroy
 30 the same or any Part thereof, or the Harness of the Horses drawing the same, or shall unlawfully take off, drive away, kill, or wound any of such Horses in order to stop the same, or shall, by cutting the Sacks or otherwise, scatter or throw abroad such Corn, Potatoes, or other Provisions, or shall take and carry away
 35 or damage the same or any Part thereof, or shall distribute the same, or compel the Owner or his Servant, or the Carrier of the same, to distribute or otherwise depart from the Possession thereof or of any Part thereof, contrary to his Consent, shall be liable to a Fine not exceeding, together with any Compensation ordered, the Sum of *Five Pounds*, or to be imprisoned for a
 40 Term not exceeding *Three Months*:
 Any Person who shall unlawfully and maliciously commit any Damage, Injury, or Spoil to or upon any Real or Personal Property whatsoever, either of a public or private Nature, for
 45 which no Punishment is already otherwise herein provided, shall be

Destroying,
&c. vegeta-
ble Produc-
tions not
growing in
Gardens, &c.
9 G. 4. c. 56.
s. 22.

First Offence.
Second
Offence.

Destroying
or damaging
Trees,
Shrubs, &c.
of any Value
under 5*l*.
9 G. 4. c. 56.
s. 20.

Destroying,
&c. any
Fence, Wall,
Stile, or
Gate.
9 G. 4. c. 56.
s. 23.

First Offence.
Second
Offence.

Obstructing
Export of
agricultural
Produce.
11 G. 3. c. 7.

Damage to
Property in
any Case not
previously
provided for.
9 G. 4. c. 56.
s. 30.

**Malicious
Injury to
Property.**

be liable to a Fine not exceeding, together with any Compensation ordered, the Sum of *Five Pounds*, or to be imprisoned for a Term not exceeding *Three Months* :

Malice
against the
Owner not
essential to
any of such
Offences ;
9 G. 4. c. 56.
s. 32.
but not to
apply to
unintentional
Trespasses.

And every Punishment and Forfeiture so imposed on any Person maliciously committing any of such Offences against Property shall 5
equally apply and be enforced, whether the Offence shall be committed from Malice conceived against the Owner of the Property in
respect of which it shall be committed, or otherwise : Provided
always, that nothing herein contained shall extend to any Case where
the Party offending acted under a fair and reasonable Supposition 10
that he had a Right to do the Act complained of, nor to any Trespass,
not being wilful and malicious, committed in hunting, fishing, or the
Pursuit of Game ; but every such Trespass shall be punishable in the
same Manner as before the passing of this Act.

Persons in
the Act of
offending
may be
apprehended
without
Warrant.

9 G. 4. c. 56.
s. 35.

IV. And be it enacted, That any Person found committing any of 15
the said Offences in respect to the malicious Injury of Property may
be immediately apprehended, without a Warrant, by any Sub-
Inspector, Head or other Constable, or by the Owner of the Property
in respect of which the Offence shall have been committed, or by the
Servant of such Owner, or any other Person authorized by such 20
Owner, and may be forthwith taken before some neighbouring Justice,
to be dealt with according to Law.

**Stealing
Property.**

Justice may
require Party
to account
for having
in his Possession
certain Articles,
and on failing
so to do shall
be liable to
Punishment
in following
Cases :

V. And be it enacted, That if any Person who shall commit any
of the next following Offences shall not satisfy the Justice or Justices 25
before whom he shall be brought that he came lawfully by the
Articles of Property herein-after mentioned, it shall be lawful for
such Justice or Justices to commit such Person to Gaol, in order that
he may be brought forward for Trial for such Offence at the next
Court of Petty Sessions of the District, unless he shall enter into
Recognizance, with One or more Sureties, to appear before such 30
Court ; and it shall be lawful for such Justice or Justices, if he or
they shall see fit to order, that in the meantime such Articles of
Property shall be forthwith delivered over to or for the Use of the
rightful Owner thereof ; and if afterwards such Person so apprehended
shall not satisfy the Justice or Justices sitting at Petty 35
Sessions that he came lawfully by such Articles of Property, he shall
be liable to the Punishment herein-after specified in each Case ; that
is to say,

Persons in
in Possession
of ship-
wrecked
Goods.
9 G. 4. c. 55.
s. 19.

Any Person in whose Possession or on whose Premises with his
Knowledge any Goods, Merchandize, or Articles of any Kind 40
belonging to any Ship or Vessel in distress, or wrecked, stranded,
or cast on shore, shall be found by virtue of a Search Warrant,
shall

shall be liable to a Fine not exceeding *Fifty Pounds*, or to be imprisoned for a Term not exceeding *Twelve Months* :

*Stealing
Property.*

Any Person who shall offer or expose for Sale any Goods, Merchandize, or Articles whatsoever which shall have been unlawfully taken, or reasonably suspected to have been taken, from any Ship or Vessel in distress, or wrecked, stranded, or cast on shore as aforesaid, shall pay such Sum as the said Justice or Justices shall fix as a reasonable Reward to the Person who shall have seized the same, and shall also be liable to a Fine not exceeding *Thirty Pounds*, or to be imprisoned for a Term not exceeding *Six Months*; and in every such Case any Person to whom the same shall be offered for Sale, or any Officer of the Customs or Excise or Constabulary Force, or other Peace Officer, may lawfully seize the same, and with all convenient Speed carry the same or give Notice of such Seizure to some neighbouring Justice :

*Shipwrecked
Goods
offered for
Sale.*

*9 G. 4. c. 55.
s. 20.*

*Officers of
Customs, &c.
may seize
the Goods.*

Any Person in whose Possession or on whose Premises with his Knowledge the Carcass of any Sheep, Lamb, or Deer, or the Head, Skin, or other Part thereof, or any Venison, Mutton, Fat, Skin, or Fleece of such Deer, Sheep, or Lamb, shall be found by virtue of any Search Warrant, shall pay the Charges previous to and attending his Conviction, and shall also be liable to a Fine not exceeding *Five Pounds*, or to be imprisoned for a Term not exceeding *Three Months* :

*9 G. 4. c. 55.
s. 27.*

*12 & 13 Vict.
c. 30.*

Any Person in whose Possession or on whose Premises with his Knowledge the whole or any Part of any Tree, Sapling, or Shrub, or any Underwood, or any Part of any live or dead Fence, or any Post, Pale, Rail, Stile, or Gate, or any Part thereof, being of the Value of *Two Shillings* at the least, shall be found by virtue of any Search Warrant, shall pay the Value of the Article or Articles so found, and shall also be liable to a Fine not exceeding *Two Pounds*, or to be imprisoned for a Term not exceeding *One Month* :

*Persons in
possession
of stolen
Wood.*

*9 G. 4. c. 55.
s. 34.*

Provided always, that if any Person shall not under the Provisions last aforesaid be liable to Conviction, then, for the Discovery of the Person who actually stole or killed such Articles of Property, it shall be lawful for the Justice or Justices, at his or their Discretion, as the Evidence given and the Circumstances of the Case shall require, to summon before him or them any and every Person through whose Hands such Articles of Property or any Part thereof shall appear to have passed, and if the Person from whom the same shall have been first received, or any Person who shall have had Possession thereof, shall not satisfy the Justice or Justices that he came lawfully by the same, he shall be liable to the like Punishment as is hereinbefore provided in each Case.

*In case they
are not con-
victed Jus-
tice may
summon
other Parties.*

*9 G. 4. c. 55.
s. 27.*

Stealing Property.

Justice may order Punishment in the following Cases :

Stealing, &c. Deer in any inclosed Ground.
9 G. 4. c. 55. s. 26.

Stealing Dogs or Beasts or Birds ordinarily kept in Confinement, and not the Subjects of Larceny.
9 G. 4. c. 55. ss. 28, 29.

Stealing, &c. any live or dead Fence, wooden Stile, or Gate.
9 G. 4. c. 55. s. 33.

First Offence.

Subsequent Offence.

Stealing Trees, Shrubs, &c. under the Value of 5*l*. growing anywhere.
9 G. 4. c. 55. ss. 31, 35. & 36.

First Offence.

Second Offence.

VI. And be it enacted, That any Person who shall commit any of the next following Offences shall on Conviction thereof be liable to the Punishment herein-after specified in each Case :

Any Person who shall unlawfully and wilfully course, hunt, snare, or carry away, or kill or wound, or attempt to kill or wound, any 5. Deer kept or being in any Park, Paddock, or inclosed Land wherein Deer shall be usually kept, shall be liable to a Fine not exceeding *Thirty Pounds*, or to be imprisoned for a Term not exceeding *Six Months* :

Any Person who shall steal any Dog, or any Beast or Bird 10 ordinarily kept in a State of Confinement, not being the Subject of Larceny at Common Law, or in whose Possession or on whose Premises the same, or the Skin or Plumage thereof, shall be found by virtue of a Search Warrant, such Person knowing that the said Dog, Beast, or Bird has been stolen, or that the Skin is 15 the Skin of a stolen Dog or Beast, or that the Plumage is the Plumage of a stolen Bird, shall for the first Offence pay the Value of the Dog, Beast, or Bird to the Party aggrieved, and shall also be liable to a Fine not exceeding *Ten Pounds*, or to be imprisoned for a Term not exceeding *Six Months* ; and for a 20 second or subsequent Offence shall be liable to a Fine not exceeding *Twenty Pounds*, or to be imprisoned for a Term not exceeding *Twelve Months* :

Any Person who shall steal or damage with Intent to steal any Part of any live or dead Fence, or any wooden Post, Pale, 25 or Rail set up or used as a Fence, or any Stile or Gate, or any Part thereof respectively, shall for the first Offence pay to the Party aggrieved the Value of the Article or Articles so stolen, or the Amount of the Injury done, and shall also be liable to a Fine not exceeding *Five Pounds*, or to be imprisoned for a 30 Term not exceeding *Three Months* ; and for any subsequent Offence shall be liable to a Fine not exceeding *Ten Pounds*, or to be imprisoned for a Term not exceeding *Six Months* :

Any Person who shall steal, or shall cut, break, root up, or otherwise destroy or damage with Intent to steal, the whole or any 35 Part of any growing Tree, Sapling, Shrub, or Underwood, or any growing Fruit or vegetable Production, or any growing cultivated Root or Plant, shall, in case the Value of the Article or Articles stolen or the Amount of the Injury done shall not exceed *Five Pounds*, for the First Offence pay to the Party 40 aggrieved the Value of the Article or Articles stolen or the Amount of the Injury done, and shall also be liable to a Fine not exceeding *Five Pounds*, or to be imprisoned for any Period not exceeding *Six Months* ; and for any Second or subsequent Offence of the same Kind shall be liable to a Fine not exceeding 45

Ten

Ten Pounds, or to be imprisoned for a Term not exceeding *Twelve Months* :

Stealing Property.

- Any Person who shall steal or damage with Intent to steal the whole or any Part of any Tree, Sapling, Shrub, or Underwood, or any cultivated Plant, Root, Fruit, or vegetable Production, and severed from the Soil, or any Turf or Peat manufactured or partly manufactured for Fuel, in case the Value of such Article or Articles stolen or the Amount of the Injury done, shall not exceed *Forty Shillings*, shall for the first Offence pay to the Party aggrieved the Value of the Article or Articles so stolen or the Amount of the Injury done, and shall also be liable to a Fine not exceeding *Five Pounds*, or to be imprisoned for a Term not exceeding *Three Months* ; and for a second or subsequent Offence of the same Kind, shall be liable to a Fine not exceeding *Ten Pounds*, or to be imprisoned for a Term not exceeding *Six Months*.

Stealing Trees, Plants, Vegetables, &c. severed from the Soil, or Turf. Fuel, not exceeding 40s. in value. First Offence.

Second Offence.

- VII. And be it enacted, That if the Justice or Justices before whom any Person charged with any of such last-mentioned Offences relating to the stealing of Property shall be brought shall be of opinion that the Case is a fit Subject for Prosecution by Indictment for Larceny, such Justice or Justices shall, instead of summarily adjudicating thereupon, deal with the Case as one to be prosecuted by Indictment at the Assizes or Quarter Sessions.

If any such last-mentioned Offence be deemed fit for Indictment, Case to be dealt with as such.

- VIII. And be it enacted, That any Person found committing any of said Offences in respect to the stealing or damaging with Intent to steal Property may be immediately apprehended, without a Warrant, by any Sub-Inspector, Head or other Constable, or by the Owner of the Property with respect to which the Offence shall be committed, or by the Servant of such Owner or any Person authorized by such Owner, and such Offender may be forthwith taken before some neighbouring Justice, to be dealt with according to Law.

Persons in the Act of committing Offences may be apprehended without Warrant.

9 G. 4. c. 55. s. 56.

- IX. And be it enacted, That if any credible Witness shall prove upon Oath before a Justice that there is reasonable Cause to suspect that any such Property with respect to which any such Offences as aforesaid, as to having shipwrecked or stolen Goods in his Possession, or stealing or damaging with Intent to steal the Articles of Property aforesaid, shall have been committed, is in any Dwelling House, Outhouse, or other Place or Places, the Justice may grant a Warrant to search such Dwelling House, Outhouse, or other Place or Places for such Property, as in the Case of other stolen Goods ; and any Person to whom any such Property shall be offered to be sold, pawned, or delivered, if he shall have reasonable Cause to suspect that any such Offence has been committed on or with respect to such Property, is hereby authorized, and, if in his Power, is required

A Justice, upon good Grounds of Suspicion, proved on Oath, may grant a Search Warrant. 9 G. 4. c. 55. s. 56.

Any Person to whom stolen Property is offered to seize the Party.

Stealing Property.

required to apprehend, and forthwith to carry before a neighbouring Justice the Party offering the same, together with such Property, to be dealt with according to Law.

Receivers of Property, where the original Offence is punishable summarily, shall be punishable as original Offenders.

9 G. 4. c. 55. s. 53.

Justice may order Restitution of stolen Property.

X. And be it enacted, That where the stealing or taking of any Property whatsoever is punishable by this Act, any Person who shall receive any such Property, knowing the same to be unlawfully come by, shall, on Conviction thereof before a Justice or Justices, be liable for every first, second, or subsequent Offence of receiving the same to the same Forfeiture and Punishment to which a Person guilty of a first, second, or subsequent Offence of stealing or taking such Property is by this Act made liable.

XI. And be it enacted, That in any Case where any Articles of Property herein-before described shall have been stolen, or the Person in whose Possession they shall be found shall not satisfy the Justice or Justices by whom the Case shall be heard that he came lawfully by the same, then the said Articles shall, by Order of said Justice or Justices, be delivered over to the rightful Owner, if known, or if the rightful Owner shall not be known, the same shall be sold and the Proceeds thereof applied in like Manner as every Penalty imposed by a Justice shall be by Law applicable.

Juvenile Offenders.

Persons not exceeding Fourteen Years of Age committing certain Offences may be summarily convicted.
11 & 12 Vict. c. 59. s. 1.

If Offence not proved, or it is not expedient to inflict Punishment, Justices may dismiss Parties with or without Sureties.

XII. And be it enacted, That every Person who shall be charged with having committed or having attempted to commit, or with having been an Aider, Abettor, Counsellor, or Procurer in the Commission of any Offence which now is or hereafter shall or may be by Law deemed or declared to be Simple Larceny, or punishable as Simple Larceny, and whose Age at the Period of the Commission or attempted Commission of such Offence shall not, in the Opinion of the Justice or Justices before whom he shall be brought or appear, exceed the Age of *Fourteen Years*, shall, upon Conviction thereof before a Justice or Justices sitting in Petty Sessions, and in open Court, be committed to Gaol for any Term not exceeding *Three Months*, or in the Discretion of the Justice or Justices shall pay such Fine not exceeding *Three Pounds* as the said Justice or Justices shall adjudge, or, if a Male, shall be once privately whipped, either instead of or in addition to such Imprisonment; and the said Justice or Justices shall from Time to Time appoint some fit and proper Person to inflict said Punishment of Whipping when ordered to be inflicted out of Prison: Provided always, that if such Justice or Justices, upon the hearing of any such Case, shall deem the Offence not to be proved, or that it is not expedient to inflict any Punishment, he or they shall dismiss the Party charged, on finding Surety or Sureties for his future good Behaviour, or without such Sureties, if the said Justice or Justices shall

shall so think fit: Provided also, that if such Justice or Justices shall be of opinion, before the Person charged shall have made his Defence, that the Charge is from any Circumstance a fit Subject for Prosecution by Indictment, or if the Parent or next Friend of the Person charged shall, upon his being called upon to answer the Charge, object to the Case being summarily disposed of under the Provisions of this Act, such Justice or Justices shall, instead of summarily adjudicating thereupon, deal with the Case as one to be prosecuted by Indictment at Assizes or Quarter Sessions.

Juvenile Offenders.

If the Charge is thought fit for Indictment, &c. Case to be dealt with as if this Act had not passed.

- 10 XIII. And be it enacted, That no Conviction of any such Juvenile Offender for any such Offence shall be attended with any Forfeiture save as herein-before mentioned, but whenever any such Person shall be deemed guilty of such Offence it shall be lawful for the Justice or Justices to order Restitution of the Property in respect of which
- 15 such Offence shall have been committed to the Owner thereof or his Representatives; but if such Property shall not then be forthcoming, the Justice or Justices, whether he or they award Punishment or dismiss the Complaint, may inquire into and ascertain the Value thereof in Money, and if he or they think proper order Payment of
- 20 such Sum of Money to the true Owner by the Person convicted, either at One Time or by Instalments at such Periods as he or they may deem reasonable.

No Forfeiture upon Convictions of juvenile Offenders under this Act, but presiding Justices may order Restitution of Property.

11 & 12 Vict. c. 59. s. 12.

But if not forthcoming may order Compensation.

- XIV. And be it enacted, That any Person who shall commit any of the next following Offences shall on Conviction thereof be liable to
- 25 such Punishment as is herein-after specified in each Case:

- Any Person who shall sell or offer for Sale any Wheat, Rye, Meslin, Peas, Beans, Barley, Bere, Oats, Shillin, Cutlings, Meal, Flour, Malt, or other Corn which shall in the whole or in part be spoiled or adulterated by wetting or mixing therewith any Sand,
- 30 Gravel, Dirt, or rotten or damaged Corn, Grain, Malt, Meal, or Flour, or grown or blighted Corn, or other Kind of Stuff, or which shall not be in Quality of equal Goodness to that produced to the View of the intended Buyer or Buyers thereof, or shall use any other Fraud or Deceit therein, in order to make such
- 35 Corn, Grain, Malt, Meal, or Flour appear heavier than it would have been without such Mixture, Fraud, or Deceit, shall forfeit all such Corn, Grain, Malt, Meal, or Flour to such charitable Uses as the Justices shall direct, and shall also be liable to a Fine not exceeding *Forty Shillings*, or to be imprisoned for any Term
- 40 not exceeding *One Month*:

Corn, &c. adulterated offered for Sale shall be forfeited. 58 G.3. c. 82.

- Any Person who shall in any Fair, Market, or other Place exhibit for Sale any unwholesome or fraudulently prepared Meat, Fish, or other Provisions or Food of any Kind for Man or Beast, or
358. C shall

Frauds in the Sale of Meat, &c. in Markets.

*Frauds as to
Property.*

shall practise any Deceit or Fraud in respect to the Weight or Quality of any such Meat, Fish, or other Provisions, shall forfeit all such Meat, Fish, or other Provisions to such charitable Uses as the Justice or Justices shall direct, and shall also be liable to a Fine not exceeding *Forty* Shillings, or to be imprisoned for any 5
Term not exceeding *One* Month:

And it shall be lawful for any Justice or Justices to seize or cause to be seized any of the Articles herein-before last mentioned as to which any such Offence shall be committed; and the said Justice or Justices may, if he or they shall deem it expedient, either proceed at once to 10
hear and determine the Case, or may adjourn the Hearing thereof to the next Petty Sessions of the District, binding the several Parties by Recognizance to appear at the said Sessions.

*Trespass of
Persons.*

Trespass on
Fields, &c.
after Warn-
ing;

but not to
extend to
certain Cases
of Trespass.

XV. And be it enacted, That any Person who shall wilfully trespass in any Field, Garden, Pleasure Ground, or other Inclosure, 15
and shall neglect or refuse to leave any such Place after he shall have been warned to do so by the Owner, or by the Caretaker or Servant of the Owner, or by any Person authorized in that Behalf by the Owner, shall, on Conviction thereof, be liable to a Fine not exceeding *Ten* Shillings: Provided always, that nothing herein con- 20
tained shall extend to any Case where the Party trespassing acted under a fair and reasonable Supposition that he had a Right to go into or upon any such Place, nor to any Trespass, not being wilful or malicious, committed in hunting, fishing, or the Pursuit of Game, but every such Trespass shall be punishable in the same Manner as 25
before the passing of this Act.

*CIVIL
JURISDICTION.**Order for
Possession of
Small
Tenements.*

Possession
of small
Tenements
may be re-
covered by
Summons
before Jus-
tices of the
Peace.
11 & 12 Vict.
c. 28. s. 16.

XVI. And be it enacted, That from and after the passing of this Act, when the Term or Interest of the Tenant of any House or any Part of a House, situate in any City, Town, or Village in which any Fair or Market is usually held, and which shall be held by him for any 30
Term not exceeding One Calendar Month at a Rent not exceeding the Rate of One Pound Sterling by the Month, shall have ended, or shall have been duly determined by a legal Notice to quit, and such Tenant, or (if such Tenant do not actually occupy the Premises, or only a Part thereof,) any Person by whom the same or any Part 35
thereof shall be then actually occupied, shall neglect or refuse to deliver up Possession of the same, it shall be lawful for the Landlord of the said Premises, or his known Agent, or for the Receiver of the Rents of his Estate, to cause the Person so neglecting or refusing to quit and deliver up Possession to be served with a Summons in 40
Writing, to be signed by a Justice or Justices having Jurisdiction in the Place in which the said Premises shall be situate, to appear before a Justice or Justices at the Petty Sessions of the District in which
the

the said Premises shall be situated, to show Cause why Possession of the said Premises should not be delivered up to such Landlord or such Agent or Receiver as aforesaid; and if the Tenant or Occupier shall not appear at the Time and Place appointed, 5 or if such Tenant or Occupier shall appear, and shall not show to the Satisfaction of such Justice or Justices reasonable Cause why Possession should not be given, and shall still neglect or refuse to deliver up the Possession of the said Premises, or such Part thereof as he was in Possession or Occupation of at the Time 10 of the Service of such Summons, to the said Landlord or the said Agent or Receiver, it shall be lawful for the said Landlord or the said Agent or Receiver to give such Justice or Justices Proof of the Holding and of the End or Determination of the Tenancy, with the Time and Manner thereof, and, where the Title of the Landlord 15 hath accrued since the letting of the Premises, the Right by which he claims the Possession, and thereupon it shall be lawful for such Justice or Justices to issue a Warrant under their Hands to any Head or other Constable of or acting in the District within which such Premises shall be situate, or to any other Person as a special Bailiff in 20 that Behalf, requiring and authorizing him, within a Period to be therein named, not less than *Seven* or more than *Ten* clear Days from the Date of such Warrant, to give Possession of the Premises to such Landlord, Agent, or Receiver; and such Warrant shall be a sufficient Warrant to the said Constable or Bailiff to enter upon the 25 Premises, with such Assistants as he shall deem necessary, and to give Possession accordingly: Provided always, that Entry upon any such Warrant shall not be made on a *Sunday*, *Good Friday*, or *Christmas Day*, or at any Time except between the Hours of Nine in the Morning and Four in the Afternoon.

Order for Possession of Small Tenements.

30 XVII. And be it enacted, That if the Party so summoned to give up Possession shall, in obedience to such Summons, appear before the Justices, and shall give an Undertaking (to be entered in Writing by the Clerk of Petty Sessions) quietly and peaceably to deliver up, within *Fourteen* Days from the Date thereof, Possession of the Pre- 35 mises of which he is such Tenant or Occupier, in good Order and Repair to the Landlord, or such Agent or Receiver, and in the meantime to pay all Rent and Arrears of Rent claimed by such Landlord in respect to such Tenement, in such Case the Justices shall not issue their Warrant for giving Possession till the Expiration of such Period 40 of *Fourteen* Days: Provided always, that if the Tenant or Occupier shall at the Expiration of such Period continue in Possession or Occupation of the said Tenement, save by the Permission of such Landlord, Agent, or Receiver, it shall be lawful for the Justices, at the Instance of the Landlord or such Agent or Receiver, to issue 358.

If Party summoned shall give Undertaking to deliver up Possession and pay Arrears of Rent in Fourteen Days, no Warrant shall issue till the Expiration of that Period. If Party continues in possession at the End of Fourteen Days, Justices may

issue Warrant without further Notice.

their Warrant for giving Possession of the same as aforesaid, and such Warrant shall be executed forthwith, without further Notice to such Tenant or Occupier.

The Manner in which such Summons shall be served.

XVIII. And be it enacted, That such Summons as last aforesaid may be served either personally or by leaving the same with some 5 Person being in Occupation of such House or Part of a House, and where the Tenant of such House or Part of a House shall not reside therein, by serving the same personally or by leaving the same at the Place of Abode of the Tenant so holding over as aforesaid *Four* clear Days before the Day appointed for the Hearing of the Matter of the 10 said Summons: Provided always, that if the Person so holding over cannot be found, and Admission into the Premises so overheld for serving such Summons cannot be obtained, and the Place of Abode of such Person not residing as aforesaid shall either not be known or Admission thereto cannot be obtained for serving such Summons, 15 the posting of the said Summons on some conspicuous Part of the Premises so held over shall be deemed to be good Service upon such Person.

Substitution of Service in certain Cases.

But Act not to protect Persons who have no legal Right.

XIX. And be it enacted, That nothing herein contained shall be deemed to protect any Person by whom any such Warrant for the 20 Delivery of Possession of Tenements shall be sued out as aforesaid from any Action which may be brought against him by any such Tenant or Occupier for or in respect of such Entry and taking Possession, where such Person had not, at the Time of suing out the same as aforesaid, lawful Right to the Possession of the said Premises. 25

Master and Servant.

Justice may punish Servant, &c. for not observing Contract.
4 G. 4. c. 34.
s. 3.

XX. And be it enacted, That if any Servant, Artificer, or Labourer shall engage, by a Contract in Writing signed by both Parties, with any Person, to serve him at any Time and in any Manner, and shall not enter into or commence his Service according to such Contract, or shall engage in any such Contract, whether in Writing or not, and 30 having entered into the said Service shall absent himself from the same before the Term specified in such Contract shall be completed, or shall neglect to fulfil the same, or shall be guilty of any Misconduct or Misdemeanor in the Execution of the same or in any Way respecting the same, it shall be lawful for any Justice or Justices, upon 35 Complaint thereof on Oath, either to summon such Servant to Petty Sessions, or to issue his or their Warrant to apprehend such Servant, Artificer, or Labourer, and to hear and determine at Petty Sessions such Complaint made against him by his Employer, or by the Steward Manager, or Agent of his Employer, and if it shall appear that he 40 has not fulfilled his Contract, or has been guilty of any Misconduct in respect to the same, to commit him to Gaol for any Term not exceeding *Three* Months, and to abate the whole or a Part of his Wages, and

and if he shall see fit, to discharge him from his Contract or Service, by Writing under the Hand of such Justice. *Master and Servant.*

XXI. And be it enacted, That it shall be lawful for any Justice or Justices to hear and determine any Disputes and Differences which shall arise between any Master and his Apprentice, or any Employer and his Labourers or Servants, concerning any Wages, where the Demand, whether originally greater or not, shall not exceed *Ten Pounds*, and whether such Wages shall be due in respect to any Day's Work, or to any Labour done or performed by Task, Job, or Contract, and to make such Order for Payment of so much Wages to any such Apprentice, Labourer, or Servant as, according to the Terms of his Apprenticeship or other Agreement, as the Case may be, shall appear, under all the Circumstances of the Case, to be justly due; and if such Sum, and such Costs as may be awarded, shall not be paid by the Person ordered to pay the same, either immediately or within such Time as shall be directed by the Justice or Justices, it shall be lawful for him or them, and he or they are hereby required, to issue his or their Warrant to levy the same by Distress and Sale of the Goods and Chattels of such Person refusing or omitting to pay the same, rendering the Overplus, if any, to such Person.

Justice may order Wages to be paid. 54 G. 3. c. 116. s. 3.

XXII. And be it enacted, That in every Case where the Master or Employer shall reside or be absent for any long Period of Time from the Place where his Business shall be carried on, and during such Residence or Absence shall entrust his Business to the Management and Superintendence of any Steward, Agent, Bailiff, Foreman, or Manager, it shall be lawful for any Justice or Justices, upon the Complaint of any such Servant, Artificer, Labourer, or Apprentice concerning the Nonpayment of his Wages, to summon such Steward, Agent, Bailiff, Foreman, or Manager to appear at Petty Sessions, and to hear and determine the Matter of the Complaint in such and the like Manner as Complaints of the like Nature against any Master or Employer are herein-before directed to be heard and determined, and thereupon to make an Order for the Payment by such Steward, Agent, Bailiff, Foreman, or Manager to such Servant, Artificer, Labourer, or Apprentice of so much Wages as to such Justice or Justices shall appear to be justly due, provided that the Sum in question do not exceed the Sum of *Ten Pounds*; and in case of Refusal or Nonpayment of any such Sum and Costs as may be so ordered to be paid for the Space of *Twenty-one Days* from the Date of such Order, such Justice or Justices as aforesaid shall and may issue his or their Warrant to levy the same by Distress and Sale of the Goods and Chattels of such Master or Employer, rendering the Overplus to such Master or Employer, or to such Steward, Agent, Bailiff,

How Servants, &c. shall recover their Wages in Cases of Absence of Masters, &c. 4 G. 4. c. 34. s. 4.

Master and Servant. Bailiff, Foreman, or Manager, for the Use of such Master or Employer, after Payment of the Charges of such Distress and Sale.

Justices may award further Sum to Servants, &c. as Compensation for Loss of Time in recovering Wages. XXIII. And be it further enacted, That whenever it shall appear to the Satisfaction of the Justice or Justices that any Servant, Artificer, or Labourer has been or is likely to be detained from his Home or usual Place of Residence, or has suffered or is likely to suffer any additional Loss, by reason of the Nonpayment of any Wages which such Justice shall so adjudge to be due, it shall be lawful for such Justice or Justices to order that there shall be paid to such Servant, Artificer, or Labourer, not only the Sum so due for Wages as aforesaid, but also such further Sum for the Time during which such Servant, Artificer, or Labourer shall have been so detained from his usual Place of Residence, or for the Loss suffered or likely to be suffered, as such Justice or Justices shall think and adjudge to be reasonable, having regard to the Length of such Detention, the Diligence or Remissness of either Party, the usual Wages of such Servant, Artificer, or Labourer, and the Wages which within the Time of such Detention such Servant, Artificer, or Labourer did earn, or under all the Circumstances of the Case might have earned: Provided always, that such additional Sums or Sum so ordered shall not exceed the Sum of *Two Pounds*.

Labourers defined. XXIV. And be it enacted, That all Persons, whether Artificers or Servants, or otherwise, who shall be employed to do any Species of Work or Labour whatsoever for Hire, shall be deemed and taken to be Labourers within the true Intent and Meaning of the Provisions of this Act, and shall be entitled to recover Wages as such, under and according to the Regulations aforesaid.

The Hire of Horses, Carts, &c. to be recoverable in like Manner. XXV. And be it enacted, That all Sums which shall be due or payable for the Hire of any Horse, Ass, Mule, Bullock, or other Animal for Draught, or of any Cart, Dray, Car, Plough, Harrow, or Vehicle drawn by any such Animal for the Purpose of any labouring Work, (not being for the Carriage of any Passenger or Passengers,) or for the Hire of any Boat for the Carriage of Persons only where the Demand whether originally of greater Amount or not, and whether such Hire shall be by the Day or by Contract or otherwise, shall not exceed *Ten Pounds*, shall be recoverable in the same Manner and subject to the same Conditions and Limitations as are herein-before contained in respect to Wages.

Remuneration for Tuition to be recoverable XXVI. And be it enacted, That all Sums which shall be due or payable to any Schoolmaster or Teacher for the teaching of any Child in any School or otherwise, when the Demand, whether originally greater

greater or not, shall not exceed *Ten Pounds*, and whether the Engagement shall be for a Payment by the Day or other Period, or in any other Manner, shall be recoverable from the Parent or Parents or from such other Person as shall have engaged such Teacher or School-
 5 master to teach such Child, in the same Manner and subject to the same Limitations and Conditions as are herein-before contained in respect to Wages.

XXVII. And be it enacted, That whenever any Dispute shall arise between any Buyer and Seller relating to the Terms of Sale,
 10 Delivery, Price, Warranty of, or Payment for any Article which shall be exhibited for Sale in any Fair or Market, and which shall not be of a greater Value than *Five Pounds*, it shall be lawful for any Justice or Justices to hear and determine such Dispute forthwith and on the Spot, upon the Complaint of either Party, or if necessary, to issue a
 15 Summons for that Purpose to the other Party to appear forthwith before him to be examined on Oath as to such Dispute; and it shall be lawful for such Justice or Justices having examined into the said Complaint upon the Oath of either of the Parties of any Witness or Witnesses, to make an Award thereon according to the Merits of the
 20 Case, with Costs not exceeding *Five Shillings*, and such Award shall be in Writing, and shall have the like Form and Effect as any Order made by a Justice at Petty Sessions; and if either Party shall refuse to submit to such Award, it shall be lawful for such Justice to enforce the same by a Warrant for the Distress and Sale of the Goods of
 25 the Person so refusing to submit, rendering thereout to the Person aggrieved the Sum ordered as Amends, and Costs, and rendering the Overplus, if any, to the Owner.

Fairs and Markets.

Justices may make Awards as to Disputes where Value does not exceed 5*l*.

XXVIII. And be it enacted, That it shall be lawful for the Mayor and Borough Justices in all Corporate Towns, and for the
 30 Town Commissioners acting under an Act of the Ninth Year of King George the Fourth, Chapter Eighty-two, in their respective Towns, and for the Justices at Petty Sessions in other Market Towns, from Time to Time to make such Regulations as they shall see fit for the better Management of Markets in the Towns
 35 aforesaid, by appointing specified Places in such Markets where the different Goods to be named by them shall be exposed for Sale, and for keeping or causing to be kept free and clear from Obstruction all Passages or Thoroughfares in and through the said Markets, and for keeping or causing to be kept all said Markets, and
 40 all Passages therein and thereto, clear and free from any Dirt or Nuisances of any Kind whatever, and for preventing all Indecencies being committed therein, provided that no such Regulations shall interfere with or impede the due Accommodation of Persons lawfully exposing Goods or Wares for Sale therein; and it shall be lawful for
 358. the

Justices may make Regulations as to Markets.

Fairs and Markets.

the said Mayor, Town Commissioners, or Justices to give due Notice of such Regulations, by causing the same to be painted on a Board, and affixed in some conspicuous Place in any such Market, in like Manner as Schedules of Tolls and Customs in Markets are now required by Law to be affixed; and if any Person shall offend against 5 any of the said Regulations, by exhibiting Goods or Wares in any such Market in any Place other than that appointed for the Sale of the same, or by refusing to remove the same when required so to do, or by obstructing the Passages or Thoroughfares in and through said Market by placing or leaving any Impediment of any Kind therein, 10 or by leaving or causing to be left any Nuisance of any Kind therein, or shall commit any Indecency in said Market, or in the Passages thereto, he shall, on Conviction thereof before a Justice or Justices, pay a Fine for a first Offence not exceeding *Five Shillings*, and Costs not exceeding *One Shilling*; and for a second Offence, a Fine 15 not exceeding *Ten Shillings*, and Costs not exceeding *Two Shillings*.

Persons obstructing with Carts, &c. liable to a Penalty of 20s.

XXIX. And be it enacted, That any Person who shall, within any City, Borough, or Market Town in Ireland, or within a Quarter of a Mile from the Boundary thereof, cause any Cart, Dray, Waggon, or other such Carriage, or any public or Hackney Car or Carriage, to 20 stand in any Public Road or Street longer than may be reasonable or necessary for loading or unloading, or for taking up or setting down Passengers (except any Cart, Dray, Waggon, or other such Carriage lawfully standing in any Place customarily used for such Purpose in any public Market or Fair, and except any public or 25 Hackney Car or Carriage standing for Hire in any Place allowed for such Purpose by any Order in Writing to be made by the Justices at the Petty Sessions of the District, and which Order such Justices are hereby empowered to make); or any Person who shall within any such Place or Limits as aforesaid, except as herein- 30 before excepted, by means of any such Carriage, wilfully interrupt any public Crossing, or wilfully cause any Obstruction in any public Road or Street, shall, on Conviction thereof, before a Justice or Justices, pay for every such Offence a Fine not exceeding *Twenty Shillings*. 35

Justices may appoint Stands for Cars.

General Provisions as to Criminal and Civil Jurisdiction.

Justices may order Payment of Penalties either forthwith or at a future Day.

XXX. And be it enacted, That in every Case where any Justice or Justices shall order the Payment of a pecuniary Penalty for an Offence under the Provisions of this Act it shall be lawful for such Justice or Justices to order that such Penalty shall be paid either forthwith or at some future Day, and in such last-mentioned Case to 40 order that the Offender shall be committed to Gaol until the Day so to be appointed, unless he shall enter into a Recognizance in double the Amount of such Penalty, with One or more Sureties, at the Discretion of the Justice, for his Appearance on such Day.

XXXI. And

XXXI. And be it enacted, That in every Case where any Sum shall be awarded under the Provisions of this Act as Compensation for Damage, or as the Value of any Article, or as the Amount of any Injury done, such Sum shall in the Case of private Property be
 5 paid to the Party aggrieved, if known, except where such Party shall have been examined in proof of the Offence; and in such Case, or where the Party aggrieved is unknown, or in the Case of Property of a public Nature or wherein any public Right is concerned, such Sum shall be applied in such Manner as every Penalty imposed by a
 10 Justice or Justices shall by Law be applicable: Provided always, that where several Persons join in an Offence, and are severally punished each in the Amount of the Injury done, no more than One of such Sums shall be paid to the Party aggrieved, and the rest shall be applied as every Penalty imposed by a Justice shall be by Law
 15 applicable.

General Provisions as to Criminal and Civil Jurisdiction.

Compensation awarded to be paid to Party aggrieved except in certain Cases.

9 G. 4. c. 56. s. 39.

XXXII. And be it enacted, That in every Case where a Fine for an Offence shall be imposed under the Provisions of this Act, and no Sum shall be awarded to the Prosecutor by way of Compensation for Damages, it shall be lawful for the Justice or Justices before whom
 20 the Conviction shall take place to award any Sum not exceeding One *Third* of such Fine to the Informer or Prosecutor, and the Remainder of such Fine and all other Fines imposed under the Provisions of this Act shall be awarded to the Crown.

Application of Fines.

XXXIII. And be it enacted, That in all Cases of Prosecutions for
 25 Offences under this Act the Evidence of the Party aggrieved shall be admitted in proof of the Offence, and in all Cases of Complaints on which a Justice or Justices can make an Order for the Payment of Money under this Act the Evidence of the Complainant shall be admitted in proof of his Complaint; and in all Cases of Proceedings
 30 for the Recovery of Wages it shall be lawful for the Justice or Justices, and they are hereby empowered, to summon before him or them the Master or Employer as a Witness, and the Evidence of such Witness may, in the Discretion of the Justice or Justices, be admitted in proof against the Complaint.

What Persons shall be Witnesses.

XXXIV. And be it enacted, That where any Person shall be con-
 35 victed before a Justice or Justices of the Peace of any Offence against this Act, and it shall be a first Conviction, it shall be lawful for the Justice or Justices, if he or they shall so think fit, to discharge the Offender from his Conviction, upon his making such Satisfaction to
 40 the Party aggrieved, for Damages and Costs, or either of them, as shall be ascertained by the Justice or Justices.

The Justice may discharge the Offender in certain Cases.

General Provisions as to Criminal and Civil Jurisdiction.

Pardon for Nonpayment of Money.

All Proceedings to be according to Petty Sessions Act.

Offences may also be punished on Indictment.

No Order or Adjudication made on Appeal shall be quashed for want of Form.

Interpretation Clause.

XXXV. And be it enacted, That it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of Ireland to extend the Royal Mercy to any Person imprisoned by virtue of this Act, although he shall be imprisoned for Nonpayment of Money to some Party other than the Crown. 5

XXXVI. And be it enacted, That all Proceedings under this Act, so far as relates to the Time within which any Complaint may be brought, or to the summoning or Apprehension of any Party or Witness, or to Certificates of Dismissal on the Merits, or to Appeals, or to the Forms of Procedure, or to the issuing of any Warrant of Distress or of Distress and Commitment or of Commitment in default of Distress for any Penalty or other Sum, or to the ordering of hard Labour, or to any other Matter of Procedure not herein specially provided for, shall be subject to the Provisions in such Behalf respectively contained in the "Petty Sessions (Ireland) Act, 1850." 15

XXXVII. And be it enacted, That any Person who shall commit any of the Offences herein-before mentioned, and now by Law punishable by Indictment, may be proceeded against and punished for the same either upon Indictment or before a Justice or Justices upon summary Conviction; and in every Case where, under the Provisions of any other Act, the Commission of any of the said Offences a second or subsequent Time shall be punishable upon Indictment for the same, such second or subsequent Offence shall continue punishable in the same Manner as if this Act had not been passed. 20

XXXVIII. And be it enacted, That no Order made under the Provisions of this Act, nor any Adjudication made on Appeal therefrom, shall be quashed for want of Form, or be removed by Certiorari or otherwise into any of Her Majesty's Superior Courts of Record. 25

XXXIX. And be it enacted, That in the Interpretation of this Act, save where there is anything in the Subject or Context repugnant to such Construction, the Word "County" shall be deemed to include "County of a City" or "County of a Town;" the Word "Justice" shall mean "Justice of the Peace," and shall include a "Divisional Justice" of the Police District of Dublin Metropolis, or "Chief Magistrate" of any Corporate Town; the Word "Petty Sessions" shall include a "Divisional Police Office" of Dublin Metropolis; the Word "Gaol" shall include any "House of Correction" or "Bridewell" of the County; the Word "Oath" shall include "Affirmation" or "solemn Declaration," as the Case may be; the Word "Month" shall mean "Calendar Month;" Words denoting the Masculine Gender shall include 30 35 40

include Females as well as Males, and Words denoting the Singular Number shall include Two or more Persons or Things as well as One Person or Thing.

General Provisions as to Criminal and Civil Jurisdiction.

- XL. And be it enacted, That from and after the passing of this
- 5 Act the several Acts and Parts of Acts herein-after mentioned shall be and the same are hereby repealed, together with all other Acts and Parts of Acts inconsistent with the Provisions of this Act, except so much of said Acts as repeal any other Acts or Parts of Acts, and also except as to any Offence committed before the passing of this
- 10 Act, or any Proceedings now pending to which the same or any of them are applicable; that is to say,
- So much of an Act passed in the Eleventh Year of King George the Third, intituled "An Act for punishing such Persons as shall
- 15 "do Injuries and Violence to the Persons or Properties of His Majesty's Subjects, with Intent to hinder the Exportation of "Corn," as relates to the Jurisdiction of Justices of the Peace as to summary Convictions:
- An Act passed in the Fifty-fourth Year of King George the Third, intituled "An Act to repeal the several the several Laws for
- 20 "Recovery of small Sums due for Wages in Ireland, and to "make other Provisions for Recovery of such Wages:"
- An Act passed in the Fifty-eighth Year of King George the Third, intituled "An Act to prevent Frauds in the Sale of Grain in
- 25 "Ireland:"
- An Act passed in the Fourth Year of the Reign of King George the Fourth, intituled "An Act to enlarge the Powers of Justices
- "in determining Complaints between Masters and Servants, and "between Masters, Apprentices, Artificers, and others," so far as relates to Ireland:
- 30 So much of an Act passed in the Ninth Year of King George the Fourth, intituled "An Act for amending and consolidating the "Laws relative to Larceny, and other Offences connected there-
- "with," as relates to the Jurisdiction of Justices of the Peace as to summary Convictions:
- 35 So much of an Act passed in the Ninth Year of King George the Fourth, intituled "An Act for consolidating the Laws in "Ireland relative to malicious Injuries to Property," as relates to the Jurisdiction of Justices of the Peace as to summary Convictions:
- 40 So much of an Act passed in the Tenth Year of King George the Fourth, intituled "An Act for consolidating and amending "the Statutes in Ireland relating to Offences against the Person," as relates to the Jurisdiction of Justices of the Peace as to summary Convictions:

358.

F

So

*General
Provisions as
to Criminal
and Civil
Jurisdiction.*11 & 12 Vict.
c. 28.

So much of an Act passed in the Eleventh and Twelfth Years of the Reign of Queen Victoria, intituled "An Act to amend the
" Law of Imprisonment for Debt in Ireland, and to improve the
" Remedies for the Recovery of Debts and of the Possession of
" Tenements situate in Cities and Towns in certain Cases," as 5
relates to the Recovery of the Possession of small Tenements :

11 & 12 Vict.
c. 59.

An Act passed in the Eleventh and Twelfth Years of the Reign of Her Majesty, intituled "An Act for the more speedy Trial and
" Punishment of Juvenile Offenders in Ireland :"

7 Vict. c. 8.

An Act passed in the Seventh Year of Her Majesty, intituled "An 10
" Act to facilitate the Recovery by summary Process of small
" Sums due to the Teachers of Schools in Ireland :"

12 Vict. c. 15.

An Act passed in the Twelfth Year of Her Majesty, intituled "An
" Act to amend an Act of the Fifty-fourth Year of King George
" the Third for the Recovery of small Sums due for Wages in 15
" Ireland :"

12 & 13 Vict.
c. 30.

An Act passed in the Twelfth and Thirteenth Years of Her Majesty, intituled "An Act for the better Preservation of
" Sheep, and more speedy Detection of Receivers of stolen
" Sheep, in Ireland."

20

Act to ex-
tend to
Ireland only.

XLI. And be it enacted, That this Act shall extend and be
construed to extend to Ireland only.

Act may be
amended, &c.

XLII. And be it enacted, That this Act may be amended or re-
pealed by any Act to be passed in the present Session of Parliament.

Summary Jurisdiction.

(Ireland.)

A

B I L L

To consolidate and amend the Acts relating to certain Offences and pecuniary Claims as to which Justices of the Peace exercise a summary Jurisdiction in Ireland.

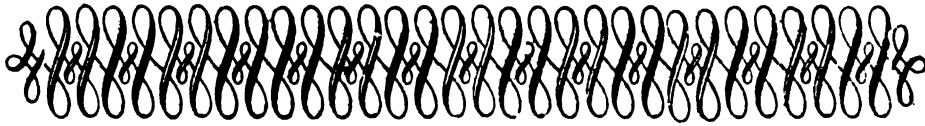
*(Prepared and brought in by
Sir William Somerville and Mr. Solicitor General
for Ireland.)*

*Ordered, by The House of Commons, to be Printed,
17 May 1850.*

358.

Under 3 oz.

9 July 1850. 13 & 14 VICT.



(Ireland.)

A

B I L L

[AS AMENDED BY THE SELECT COMMITTEE]

TO

Consolidate and amend the Acts relating to certain
Offences and pecuniary Claims as to which Jus-
tices of the Peace exercise a summary Jurisdiction
in Ireland.

[Note.—*The Clauses marked A. to X. were added by the Select
Committee.*]

WHEREAS it is expedient to consolidate and amend the Acts by which Justices of the Peace are empowered to adjudicate in a summary Way as to certain Offences and other Matters in Ireland: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for any Justice or Justices sitting in Petty Sessions, (or for any Two Justices acting out of Petty Sessions, in any Cases of Offences where the Defendant shall be unable to procure Bail for his Appearance at Petty Sessions,) within his or their Jurisdiction, to hear and determine, either on the Oath of One or more credible Witnesses, or on the Confession of the Defendant, all Complaints relating to the Offences or other Matters herein-after mentioned, and to award such Fine, Imprisonment, Compensation, Expenses, and Sums, or to make such other Order relating to each Offence or other Matter as the Defendant shall be liable to under the Provisions of this Act.

Preamble.

Justices may
decide all
Cases under
this Act
on Evidence
of Witnesses
or Confes-
sion.

529.

A

II. And

CLAUSE A.
In all Cases
Justices may
fix Time for
Payment
of Sums
ordered, and
may allow
Payment by
Instalments.
In Cases of
Offences
Justices may
order either
the Fine or
the Imprison-
ment;

or in Cases
of Offences,
Justices may
order Impri-
sonment in
default of
Payment
or Distress,
according to
Scale.
Scale of Im-
prisonment.

Imprison-
ment for Of-
fences may
be with or
without hard
Labour.

CRIMINAL
JURISDICTION.

*Malicious
Injury to
Persons.*

Common
Assaults.
10 G. 4. c. 34.
s. 36.
Assaults with
Intent to
prevent Sale
of Corn, &c.
11 G. 3. c. 7.
s. 1.

II. And be it enacted, That it shall be lawful for the Justice or Justices, if he or they shall think fit, to order that any such Fine, Compensation, or other Sum awarded under the Provisions of this Act shall be paid either forthwith or at such Time or Times as he or they shall direct, and where such Sum shall not be a Fine for an 5 Offence, that same shall be paid either in One Sum or by Instalments; and it shall also be lawful for the Justice or Justices, if he or they shall think fit, in every Case where any Person shall be convicted before him or them of any of the Offences herein-after mentioned, as to which it is not herein-after provided that Imprisonment shall only 10 be in default of Payment or of Distress, to award, in addition to any Compensation which may be ordered, either the Fine or the Imprisonment specified in each Case; and it shall also be lawful for the Justice or Justices, if he or they shall think fit, in any such Cases of Offences, where any such Fine, or Compensation, or both Fine 15 and Compensation, shall be awarded, either to order in the first instance, or afterwards to direct by the Warrant of Distress, that in default of Distress for the same the Person against whom such Order shall be made shall be imprisoned for any Term not exceed- ing One Week where the Sum to be paid shall not exceed Five 20 Shillings, and not exceeding Two Weeks where such Sum shall exceed Five Shillings and shall not exceed Ten Shillings, and not exceeding One Month where such Sum shall exceed Ten Shillings and shall not exceed Forty Shillings, and not exceeding Two Months where such Sum shall exceed Forty Shillings and shall not exceed 25 Five Pounds, and not exceeding Four Months where the Sum to be paid shall exceed Five Pounds and shall not exceed Ten Pounds, and not exceeding Six Months in any other Case, such Imprisonment to be determinable in each of such Cases upon Payment of the Sum ordered, and any Costs of the Distress when a Distress 30 shall be made; and it shall also be lawful for the Justice or Justices, in every Case where Imprisonment for an Offence shall be ordered, to direct that it shall be either with or without hard Labour according as he or they shall think fit.

III. And be it enacted, That any Person who shall commit any 35 of the next following Offences shall on Conviction thereof be liable to the Punishment herein-after specified in each Case; that is to say,

Any Person who shall unlawfully assault or beat any other Person shall be liable to a Fine not exceeding the Sum of Five Pounds, or to be imprisoned for a Term not exceeding Two Months: 40

Any Person who shall assault or beat or use any other Violence to any other Person with Intent to deter him from buying or selling any Corn or other agricultural or Garden Produce in any Market or other Place, or to stop the Conveyance of same, shall be liable to

to a Fine not exceeding the Sum of Ten Pounds, or to be imprisoned for a Term not exceeding Three Months :

Provided always, that in case the Justice or Justices shall find any such Assaults as aforesaid to have been accompanied by any Attempt
 5 to commit Felony, or shall be of opinion that the same is from any other Circumstance a fit Subject for a Prosecution by Indictment, he shall abstain from any Adjudication thereupon, and shall deal with the Case in all respects as one to be prosecuted at the Assizes or Quarter Sessions ; and nothing herein contained shall authorize any
 10 Justice or Justices to hear and determine in a summary Way any Case of Assault in which any Question shall arise as to the Title to any Lands, Tenements, or Hereditaments, or any Interest therein or accruing thereupon, or as to any Bankruptcy or Insolvency or any Execution under the Process of any Superior Court of Justice.

The preceding Provisions not to apply to aggravated Assaults ;
 10 G. 4. c. 34. s. 38. ;

nor to any Assault where a Title to Lands, &c. is in question.

15 IV. And be it enacted, That any Person who shall commit any of the next following Offences shall be liable to the Punishment herein-after specified in each Case ; that is to say,

Malicious Injury to Property.

Justices may order Punishment in following Cases :

Any Artificer, Workman, Journeyman, Apprentice, Servant, or Labourer who shall wilfully and unlawfully damage, spoil, or
 20 destroy any Goods, Wares, or Work committed to his Care or Charge, without the Consent of the Person by whom he shall be hired, retained, or employed, the Injury done being under the Value of Five Pounds, shall pay to the Party aggrieved such reasonable Amount of Compensation for the Injury done as the
 25 Justice or Justices shall see fit, and shall also be liable to a Fine not exceeding the Sum of Forty Shillings, or to be imprisoned for a Term not exceeding One Month :

Journeyman, &c. for spoiling Goods or Work.
 9 G. 4. c. 56. s. 5.

Any Person who shall unlawfully and maliciously destroy, or damage with Intent to destroy, any Plant, Fruit, or vegetable
 30 Production growing in any Garden, Orchard, Nursery Ground, Shrubbery, Pleasure Ground, Hot-house, Green-house, or Conservatory, shall pay to the Party aggrieved such reasonable Amount of Compensation for the Injury done as the Justice or Justices shall see fit, and shall also be liable to a Fine not
 35 exceeding the Sum of Twenty Pounds, or to be imprisoned for any Term not exceeding Six Months :

Destroying, &c. any Fruit or vegetable Production in a Garden, &c.
 9 G. 4. c. 56. s. 21.

Any Person who shall unlawfully and maliciously destroy, or damage with Intent to destroy, any Plant, Fruit, or cultivated vegetable
 40 Production growing in any Land, open or inclosed, not being a Garden, Orchard, or Nursery Ground, shall for the First Offence pay to the Party aggrieved such reasonable Amount of Compensation for the Injury done as the Justice or Justices shall see fit, and shall also be liable to a Fine not exceeding the
 45 Sum of Forty Shillings, or to be imprisoned for a Term not exceeding One Month ; and for any Second or subsequent like

Destroying, &c. vegetable Productions not growing in Gardens, &c.
 9 G. 4. c. 56. s. 22.
 First Offence.

Second Offence.

*Summary Jurisdiction (Ireland).**Malicious
Injury to
Property.*

Destroying
or damaging
Trees,
Shrubs, &c.
of any Value
under 5*l*.
9 G. 4. c. 56.
s. 20.

Offence shall, in addition to any like Compensation, be liable to a Fine not exceeding the Sum of Five Pounds, or to be imprisoned for a Term not exceeding Six Months:

Any Person who shall, between Sunrise and Sunset, unlawfully and maliciously cut, break, bark, root up, or otherwise destroy or 5 damage the whole or any Part of any Tree, Sapling, or Shrub, or any Underwood, the Injury done being under the Value of Five Pounds, shall pay to the Party aggrieved such reasonable Amount of Compensation as the Justice or Justices shall see fit, and shall also be liable to a Fine not exceeding the Sum of 10 Five Pounds, or to be imprisoned for a Term not exceeding Six Months:

Destroying,
&c. any
Fence, Wall,
Stile, or
Gate.
9 G. 4. c. 56.
s. 23.
First Offence.

Any Person who shall unlawfully and maliciously damage or destroy any Fence of any Description whatsoever, or any Wall, Stile, or Gate, or any Part thereof respectively, shall for the First Offence 15 pay to the Party aggrieved such reasonable Amount of Compensation for the Injury done as the Justice or Justices shall see fit, and shall also be liable to a Fine not exceeding the Sum of Five Pounds, or to be imprisoned for a Term not exceeding Six Months; and for any Second or subsequent Offence he shall, 20 in addition to any Compensation ordered, be liable to a Fine not exceeding the Sum of Ten Pounds, or to be imprisoned for a Term not exceeding Twelve Months:

Second
Offence.

Obstructing
Export of
agricultural
Produce.
11 G. 3. c. 7.

Any Person who shall unlawfully stop or seize upon any Waggon, Cart, or other Carriage, or Horse, loaded with Corn, Potatoes, or 25 other Provisions, in or on the Way to or from any Market or Place of shipping the same, or shall maliciously damage or destroy the same or any Part thereof, or the Harness of the Horses drawing the same, or shall unlawfully take off, drive away, kill, or wound any of such Horses in order to stop the same, or shall, 30 by cutting the Sacks or otherwise, scatter or throw abroad such Corn, Potatoes, or other Provisions, or shall take and carry away or damage the same or any Part thereof, or shall distribute the same, or compel the Owner or his Servant, or the Carrier of the same, to distribute or otherwise depart from the Possession 35 thereof or of any Part thereof, contrary to his Consent, shall be liable to a Fine not exceeding the Sum of Ten Pounds, or to be imprisoned for a Term not exceeding Six Months:

Damage to
Property in
any Case not
previously
provided for.
9 G. 4. c. 56.
s. 30.

Any Person who shall unlawfully and maliciously commit any Damage, Injury, or Spoil to or upon any Real or Personal 40 Property whatsoever, either of a public or private Nature, for which no Punishment is already otherwise herein provided, the Injury done being under the Value of Five Pounds, shall pay to the Party aggrieved such reasonable Amount of Compensation for the Injury done as the Justice or Justices shall see fit, and 45 shall also be liable to a Fine not exceeding the Sum of Forty Shillings,

Shillings, or to be imprisoned for a Term not exceeding One Month:

Malicious Injury to Property.

- Any Person who shall unlawfully and maliciously break any Pane of Glass in the Windows of any Workhouse of a Poor Law Union, or damage or destroy any of the Furniture, Clothes, or other Property of any Poor Law Union, the Injury done being under the Value of Forty Shillings, shall be liable to a Fine not exceeding the Sum of Forty Shillings, or to be imprisoned for a Term not exceeding One Month:
- 10 And every Punishment and Forfeiture so imposed on any Person maliciously committing any of such Offences against Property shall equally apply and be enforced, whether the Offence shall be committed from Malice conceived against the Owner of the Property in respect of which it shall be committed, or otherwise: Provided
- 15 always, that nothing herein contained shall extend to any Case where the Party offending acted under a fair and reasonable Supposition that he had a Right to do the Act complained of, nor to any Trespass, not being wilful and malicious, committed in Hunting, Fishing, or the Pursuit of Game; but every such Trespass shall be punishable in the
- 20 same Manner as before the passing of this Act.

Breaking Windows or injuring other Property of a Workhouse.

Malice against the Owner not essential to any of such Offences; 9 G. 4. c. 56. s. 32. but not to apply to unintentional Trespasses.

- V. And be it enacted, That any Person found committing any of the said Offences in respect to the malicious Injury of Property may be immediately apprehended, without a Warrant, by any Sub-Inspector, Head or other Constable, or by the Owner of the Property
- 25 in respect of which the Offence shall have been committed, or by the Servant of such Owner, or by any other Person authorized by such Owner, or by any other Person in care or charge of such Property, and may be forthwith taken before some neighbouring Justice, to be dealt with according to Law.

Persons in the Act of offending may be apprehended without Warrant. 9 G. 4. c. 56. s. 35.

- 30 VI. And be it enacted, That if any Person in whose Possession or on whose Premises, with his Knowledge, any of the Articles of Property herein-after mentioned shall be found in the Manner herein-after mentioned, shall not satisfy the Justice or Justices before whom he shall be brought that he came lawfully by the same, it shall be
- 35 lawful for such Justice or Justices to commit such Person to Gaol, in order that he may be brought forward for Trial for such Offence at the next Court of Petty Sessions of the District, unless he shall enter into Recognizance, with One or more Sureties, to appear before such Court; and if afterwards such Person shall be convicted at such
- 40 Court of any of the next following Offences he shall be liable to the Punishment herein-after specified in each Case; that is to say,

Stealing Property.

Justice may require Person to account for having in his Possession certain Articles, and on failing so to do such Person shall be liable to Punishment in following Cases:

Any Person in whose Possession or on whose Premises with his Knowledge any Goods, Merchandize, or Articles of any Kind

529. B belonging

Persons in possession of ship-

- wrecked
Goods.
9 G. 4. c. 55.
s. 19. belonging to any Ship or Vessel in distress, or wrecked, stranded, or cast on shore, shall be found by virtue of a Search Warrant, and who shall not satisfy the Justice or Justices that he came lawfully by the same, shall be liable to a Fine not exceeding Fifty Pounds, or to be imprisoned for a Term not exceeding 5 Twelve Months :
- Shipwrecked
Goods
offered for
Sale.
9 G. 4. c. 55.
s. 20. Any Person who shall offer or expose for Sale any Goods, Merchandize, or Articles whatsoever which shall have been unlawfully taken, or reasonably suspected to have been taken, from any Ship or Vessel in distress, or wrecked, stranded, or cast on 10 shore as aforesaid, and who shall not satisfy the Justice or Justices that he came lawfully by the same, shall pay such Sum as the said Justice or Justices shall fix as a reasonable Reward to the Person who shall have seized the same, and shall also be liable to a Fine not exceeding Thirty Pounds, or to be im- 15 prisoned for a Term not exceeding Six Months; and in every such Case any Person to whom the same shall be offered for Sale, or any Officer of the Customs or Excise or Constabulary Force, or other Peace Officer, may lawfully seize the same, and with all convenient Speed carry the same or give Notice of 20 such Seizure to some neighbouring Justice :
- Officers of
Customs, &c.
may seize
the Goods. Any Person in whose Possession or on whose Premises with his Knowledge the Carcass of any Sheep, Lamb, or Deer, or the Head, Skin, or other Part thereof, or any Venison, Mutton, Fat, Skin, or Fleece of such Deer, Sheep, or Lamb, shall be found by 25 virtue of any Search Warrant, and who shall not satisfy the Justice or Justices that he came lawfully by the same, shall pay to the Party aggrieved the Charges previous to and attending his Conviction, and shall also be liable to a Fine not exceeding Five Pounds, or to be imprisoned for a Term not exceeding 30 Three Months :
- Persons in
possession
of stolen
Mutton, &c.
9 G. 4. c. 55.
s. 27.
12 & 13 Vict.
c. 30. Any Person in whose Possession or on whose Premises with his Knowledge the whole or any Part of any Tree, Sapling, or Shrub, or any Underwood, or any Part of any live or dead Fence, or any Post, Pale, Rail, Stile, or Gate, or any Part thereof, being of the 35 Value of Two Shillings at the least, shall be found by virtue of any Search Warrant, and who shall not satisfy the Justice or Justices that he came lawfully by the same, shall pay to the Party aggrieved the Value of the Article or Articles so found, and shall also be liable to a Fine not exceeding Forty Shillings, or to be 40 imprisoned for a Term not exceeding One Month :
- Persons in
possession
of stolen
Wood.
9 G. 4. c. 55,
s. 34. Any Person in whose Possession or on whose Premises with his Knowledge the whole or any Part of any Tree, Sapling, or Shrub, or any Underwood, or any Part of any live or dead Fence, or any Post, Pale, Rail, Stile, or Gate, or any Part thereof, being of the 35 Value of Two Shillings at the least, shall be found by virtue of any Search Warrant, and who shall not satisfy the Justice or Justices that he came lawfully by the same, shall pay to the Party aggrieved the Value of the Article or Articles so found, and shall also be liable to a Fine not exceeding Forty Shillings, or to be 40 imprisoned for a Term not exceeding One Month :
- Justices may
order Resti-
tution of
stolen Pro-
perty. And in every Case where any such Articles of Property shall be of a perishable Nature it shall be lawful for the Justice or Justices by whom such Person shall be so bound to appear at Petty Sessions, to direct that the same shall be delivered over to such Person as 45 he

- he or they shall be clearly satisfied to be the rightful Owner thereof; and in every Case where any such Articles of Property shall not be so delivered over in the first instance, it shall be lawful for the Justice or Justices by whom the Case shall be heard at Petty Sessions to
- 5 direct that the same shall be delivered over to the rightful Owner, if known, or if the rightful Owner shall not be known, that the same shall be sold, and the Proceeds thereof applied in like Manner as any Penalties imposed by any Justice shall be by Law applicable : Provided, always, that if any Person shall not under the Provisions
- 10 last aforesaid be liable to Conviction, then, for the Discovery of the Person who actually stole or killed such Articles of Property, it shall be lawful for the Justice or Justices, at his or their Discretion, as the Evidence given and the Circumstances of the Case shall require, to summon before him or them any and every Person through whose
- 15 Hands such Articles of Property or any Part thereof shall appear to have passed; and if the Person from whom the same shall have been first received, or any Person who shall have had Possession thereof, shall not satisfy the Justice or Justices that he came lawfully by the same, he shall be liable to the like Punishment as is herein-before
- 20 provided in each Case.

Stealing Property.

In case they are not convicted, Justice may summon other Persons.

9 G. 4. c. 55. s. 27.

VII. And be it enacted, That any Person who shall commit any of the next following Offences shall be liable to the Punishment herein-after specified in each Case :

Justices may order Punishment in the following Cases :

- Any Person who shall unlawfully and wilfully course, hunt, snare,
- 25 or carry away, or kill or wound, or attempt to kill or wound, any Deer kept or being in any Park, Paddock, or inclosed Land wherein Deer shall be usually kept, shall be liable to a Fine not exceeding Thirty Pounds, or to be imprisoned for a Term not exceeding Six Months :
- 30 Any Person who shall steal any Dog, or any Beast or Bird ordinarily kept in a State of Confinement, not being the Subject of Larceny at Common Law, or in whose Possession or on whose Premises the same, or the Skin or Plumage thereof, shall be found by virtue of a Search Warrant, such Person knowing that
- 35 the said Dog, Beast, or Bird has been stolen, or that the Skin is the Skin of a stolen Dog, or Beast, or that the Plumage is the Plumage of a stolen Bird, shall for the First Offence pay the Value of the Dog, Beast, or Bird to the Party aggrieved, and shall also be liable to a Fine not exceeding Ten Pounds, or to
- 40 be imprisoned for a Term not exceeding Six Months; and for a Second or subsequent Offence shall, in addition to any such Compensation, be liable to a Fine not exceeding Twenty Pounds, or to be imprisoned for a Term not exceeding Twelve Months :

Stealing, &c. Deer in any inclosed Ground. 9 G. 4. c. 55. s. 26.

Stealing Dogs or Beasts or Birds ordinarily kept in Confinement, and not the Subjects of Larceny. 9 G. 4. c. 55. ss. 28, 29.

***Stealing
Property.***

Stealing, &c.
any live or
dead Fence,
Wooden
Stile, or Gate.
9 G. 4. c. 55.
& 33.
First Offence.
Subsequent
Offence.

Any Person who shall steal or damage with Intent to steal any Part of any live or dead Fence, or any Wooden Post, Pale, or Rail set up or used as a Fence, or any Stile or Gate, or any Part thereof respectively, shall for the First Offence pay to the Party aggrieved the Value of the Article or Articles so stolen, 5 or the Amount of the Injury done, and shall also be liable to a Fine not exceeding Five Pounds, or to be imprisoned for a Term not exceeding Three Months; and for any subsequent Offence shall, in addition to any such Compensation, be liable to a Fine not exceeding Ten Pounds, or to be imprisoned for a 10 Term not exceeding Six Months :

Stealing
Trees,
Shrubs, &c.
under the
Value of 5*l*.
growing
anywhere.
9 G. 4. c. 55.
ss. 35. & 36.
First Offence.

Any Person who shall steal, or shall cut, break, root up, or otherwise destroy or damage with Intent to steal, the whole or any Part of any growing Tree, Sapling, Shrub, or Underwood, or any growing Fruit or vegetable Production, or any growing 15 cultivated Root or Plant, shall, in case the Value of the Article or Articles stolen or the Amount of the Injury done shall not exceed Five Pounds, for the First Offence pay to the Party aggrieved the Value of the Article or Articles stolen or the Amount of the Injury done, and shall also be liable to a Fine 20 not exceeding Five Pounds, or to be imprisoned for any Period not exceeding Three Months; and for any Second or subsequent Offence of the same Kind shall, in addition to any such Compensation, be liable to a Fine not exceeding Ten Pounds, or to be imprisoned for a Term not exceeding Six Months : 25

Second
Offence.

Stealing
Trees, Plants,
Vegetables,
&c. severed
from the
Soil, or Turf
Fuel, not ex-
ceeding 40*s*.
in Value.
First Offence.

Any Person who shall steal or damage with Intent to steal the whole or any Part of any Tree, Sapling, Shrub, or Underwood, or any cultivated Plant, Root, Fruit, or vegetable Production, severed from the Soil, or any Turf or Peat manufactured or partly manu- 30 factured for Fuel, in case the Value of such Article or Articles stolen or the Amount of the Injury done shall not exceed Forty Shillings, shall for the First Offence pay to the Party aggrieved the Value of the Article or Articles so stolen or the Amount of the Injury done, and shall also be liable to a Fine not exceeding Five Pounds, or to be imprisoned for a Term not exceeding Three 35 Months; and for a Second or subsequent Offence of the same Kind, shall, in addition to any such Compensation, be liable to a Fine not exceeding Ten Pounds, or to be imprisoned for a Term not exceeding Six Months :

Second
Offence.

Workman
making away
with Goods
committed to
his Care.

Any Artificer, Workman, Journeyman, Apprentice, Servant, or 40 Labourer who shall unlawfully dispose of or retain in his Possession, without the Consent of the Person by whom he shall be hired, retained, or employed, any Goods, Wares, or Work committed to his Care or Charge, the Value of such Goods, Wares, or Work not exceeding the Sum of Five Pounds, shall pay to the 45 Party

Party aggrieved such Compensation as the Justice or Justices shall think reasonable, and shall also be liable to a Fine not exceeding Forty Shillings, or to be imprisoned for a Term not exceeding One Month :

*Stealing
Property.*

- 5 And in every such Case any such Articles of stolen Property shall, by Order of the Justice or Justices by whom the Case shall be heard and determined, be delivered over to the rightful Owner, if known, or if the right Owner shall not be known, the same shall be sold, and the Proceeds thereof applied in like Manner
- 10 as any Penalties imposed by a Justice or Justices shall be by Law applicable.

Justices may order Restitution of stolen Property.

- VIII. And be it enacted, That if the Justice or Justices before whom any Person charged with any of such last-mentioned Offences relating to the stealing or damaging with Intent to steal any such
- 15 Property shall be brought shall be of opinion that the Case is a fit Subject for Prosecution by Indictment for Larceny, such Justice or Justices shall, instead of summarily adjudicating thereupon, deal with the Case as one to be prosecuted by Indictment at the Assizes or Quarter Sessions.

If any such last mentioned Offence be deemed fit for Indictment, Case to be dealt with as such.

- 20 IX. And be it enacted, That any Person found committing any of said Offences in respect to the stealing or damaging with Intent to steal Property may be immediately apprehended, without a Warrant, by any Sub-Inspector, Head or other Constable, or by the Owner of the Property with respect to which the Offence shall be committed,
- 25 or by the Servant of such Owner or any Person authorized by such Owner, and such Offender may be forthwith taken before some neighbouring Justice, to be dealt with according to Law.

Persons in the Act of committing such Offences may be apprehended without Warrant.
9 G. 4. c. 55. s. 56.

- X. And be it enacted, That if any credible Witness shall prove upon Oath before a Justice that there is reasonable Cause to suspect
- 30 that any such Property with respect to which any such Offences as aforesaid, as to any Person having shipwrecked or stolen Goods in his Possession, or stealing or damaging with Intent to steal the Articles of Property aforesaid, shall have been committed, is in any Dwelling House, Outhouse, or other Place or Places, the Justice may grant
- 35 a Warrant to search such Dwelling House, Outhouse, or other Place or Places for such Property, as in the Case of other stolen Goods ; and any Person to whom any such Property shall be offered to be sold, pawned, or delivered, if he shall have reasonable Cause to suspect that any such Offence has been committed on or with respect
- 40 to such Property, is hereby authorized, and, if in his Power, is required to apprehend, and forthwith to carry before a neighbouring
529. C Justice,

A Justice, upon good Grounds of Suspicion, proved on Oath, may grant a Search Warrant.
9 G. 4. c. 55. s. 56.

Any Person to whom stolen Property is offered to seize the Property.

Stealing Property.

Justice, the Party offering the same, together with such Property, to be dealt with according to Law.

Receivers of Property, where the original Offence is punishable summarily, shall be punishable as original Offenders.
9 G. 4. c. 55. s. 53.

XI. And be it enacted, That where the stealing or taking of any Property whatsoever is punishable by this Act, any Person who shall receive any such Property, knowing the same to be unlawfully come 5 by, shall, on Conviction thereof before a Justice or Justices, be liable, for every First, Second, or subsequent Offence of receiving the same, to the same Forfeiture and Punishment to which a Person guilty of a First, Second, or subsequent Offence of stealing or taking such Property is by this Act made liable. 10

Juvenile Offenders.

Persons not exceeding Fourteen Years of Age committing certain Offences may be summarily convicted.
11 & 12 Vict. c. 59. s. 1.

XII. And be it enacted, That every Person who shall be charged with having committed or having attempted to commit, or with having been an Aider, Abettor, Counsellor, or Procurer in the Commission of any Offence which now is or hereafter shall or may be by Law deemed or declared to be Simple Larceny, or punishable as 15 Simple Larceny, and whose Age at the Period of the Commission or attempted Commission of such Offence shall not, in the Opinion of the Justice or Justices before whom he shall be brought or appear, exceed the Age of Fourteen Years, shall, upon Conviction thereof before a Justice or Justices sitting in Petty Sessions and in open Court, 20 be committed to Gaol for any Term not exceeding Three Months, or in the Discretion of the Justice or Justices shall pay such Fine not exceeding Three Pounds as the said Justice or Justices shall adjudge, or, if a Male, shall be once privately whipped, either instead of or in addition to such Imprisonment; and the said Justice or Justices shall 25 from Time to Time appoint some fit and proper Person to inflict said Punishment of Whipping when ordered to be inflicted out of Prison: Provided always, that if such Justice or Justices, upon the hearing of any such Case, shall deem the Offence not to be proved, or that it is not expedient to inflict any Punishment, he or they shall dismiss the 30 Party charged, on finding Surety or Sureties for his future good Behaviour, or without such Sureties, if the said Justice or Justices shall so think fit: Provided also, that if such Justice or Justices shall be of opinion, before the Person charged shall have made his Defence, that the Charge is from any Circumstance a fit Subject for 35 Prosecution by Indictment, or if the Parent or next Friend of the Person charged shall, upon his being called upon to answer the Charge, object to the Case being summarily disposed of under the Provisions of this Act, such Justice or Justices shall, instead of summarily adjudicating thereupon, deal with the Case as one to be 40 prosecuted by Indictment at Assizes or Quarter Sessions.

If Offence not proved, or it is not expedient to inflict Punishment, Justices may dismiss Parties with or without Sureties. If the Charge is thought fit for Indictment, &c. Case to be dealt with as if this Act had not passed.

XIII. And

Juvenile Offenders.

XIII. And be it enacted, That no Conviction of any such Juvenile Offender for any such Offence shall be attended with any Forfeiture save as herein-before mentioned, but whenever any such Person shall be deemed guilty of such Offence it shall be lawful for the Justice or Justices to order Restitution of the Property in respect to which such Offence shall have been committed to the Owner thereof or his Representatives; but if such Property shall not then be forthcoming, the Justice or Justices, whether he or they shall award Punishment or dismiss the Complaint, may inquire into and ascertain the Value thereof in Money, and if he or they shall think proper order Payment of such Sum of Money to the true Owner by the Person convicted, either at One Time or by Instalments at such Periods as he or they may deem reasonable.

No Forfeiture upon Convictions of juvenile Offenders under this Act, but presiding Justices may order Restitution of Property; and if not forthcoming may order Compensation.

11 & 12 Vict. c. 59. s. 12.

XIV. And be it enacted, That any Person who shall commit any of the next following Offences shall on Conviction thereof be liable to such Punishment as is herein-after specified in each Case:

Frauds as to Property.

Any Person who shall sell or offer for Sale any Wheat, Rye, Meslin, Peas, Beans, Barley, Bere, Oats, Shillin, Cutlings, Meal, Flour, Malt, or other Corn which shall in the whole or in part be spoiled or adulterated by wetting or mixing therewith any Sand, Gravel, Dirt, or rotten or damaged Corn, Grain, Malt, Meal, or Flour, or grown or blighted Corn, or other Kind of Stuff, or which shall not be in Quality of equal Goodness to that produced to the View of the intended Buyer or Buyers thereof, or shall use any other Fraud or Deceit therein, in order to make such Corn, Grain, Malt, Meal, or Flour appear heavier than it would have been without such Mixture, Fraud, or Deceit, shall forfeit all such Corn, Grain, Malt, Meal, or Flour, to be disposed of as the Justice or Justices shall direct, and shall also be liable to a Fine not exceeding Forty Shillings, or to be imprisoned for any Term not exceeding One Month:

Justices may order Punishment in following Cases:

Corn, &c. adulterated offered for Sale. 58 G.3. c. 82.

Any Person who shall in any Fair, Market, or other Place exhibit for Sale any unwholesome or fraudulently prepared Meat, Fish, or other Provisions or Food of any Kind for Man or Beast, or shall practise any Deceit or Fraud in respect to the Weight or Quality of any such Meat, Fish, or other Provisions, shall forfeit all such Meat, Fish, or other Provisions, to be disposed of as the Justice or Justices shall direct, and shall also be liable to a Fine not exceeding Forty Shillings, or to be imprisoned for any Term not exceeding One Month:

Frauds in the Sale of Meat, &c. in Markets.

And it shall be lawful for any Justice or Justices to seize or cause to be seized any of the Articles herein-before last mentioned as to which any such Offence shall be committed; and the said Justice or Justices may, if he or they shall deem it expedient, either proceed at once to hear

Frauds as to Property. hear and determine the Case, or may adjourn the Hearing thereof to the next Petty Sessions of the District.

Trespass of Persons.

Trespass on Fields, &c. after Warning ;

but not to extend to certain Cases of Trespass ;

and not to prevent Right of Civil Action.

XV. And be it enacted, That any Person who shall wilfully trespass in any Field, Garden, Pleasure Ground, or other Inclosure, and shall neglect or refuse to leave any such Place after he shall have been warned to do so by the Owner, or by the Caretaker or Servant of the Owner, or by any Person authorized in that Behalf by the Owner, or who shall repeat any such Trespass within One Month from the Time when such Warning shall have been so given to him, shall, on Conviction thereof, be liable to a Fine not exceeding Ten Shillings, and in default of Payment thereof at such Time as the Justice or Justices shall direct shall be liable to be imprisoned for a Term not exceeding One Week : Provided always, that nothing herein contained shall extend to any Case where the Party trespassing acted under a fair and reasonable Supposition that he had a Right to go into or upon any such Place, nor to any Trespass, not being wilful or malicious, committed in Hunting, Fishing, or the Pursuit of Game, but every such Trespass shall be punishable in the same Manner as before the passing of this Act: Provided also, that nothing herein contained shall prevent any Person from maintaining any Civil Action or Suit for any such Trespass, instead of proceeding under this Act.

Offences and Obstructions on public Roads.

Injuries to Road.

CLAUSE B.

Justices may order Punishment in the following Cases :

Deepening Ditches without Consent of County Surveyor :

Omitting to scour Ditches, or to have Drains under Passages in and out of Roads, after Notice :

XVI. And be it enacted, That any Person who shall on any public Road commit any of the following Offences shall be liable to a Fine not exceeding Twenty Shillings ; that is to say,

Any Person who shall scour, deepen, widen, or fill up any Ditch or Drain on the Side of any public Road, unless with the Consent of the County Surveyor or by the Authority of any Presentment :

Any Owner or Occupier of any Lands contiguous to any public Road who shall omit to scour any Ditch or Drain leading from such Road, so as to allow the Water to pass away, within Ten Days after Notice shall be given to him so to do by the County Surveyor or by the Contractor for the Repair of such Road, or who shall suffer the Passage of the Water to be obstructed by making or leaving any Way or Passage from any Road into the adjoining Lands, or into his House, without a sufficient Pipe, Sewer, or Gullet underneath it :

Building Houses.

Any Person who shall build or cause to be built any House or Part of a House within Thirty Feet of the Centre of any public Road, except in the Streets of Corporate or Market Towns, or where a House now stands, shall be liable to a Fine not exceeding Ten Pounds, and to a further Sum of Ten Shillings a Week from the Time of his Conviction until the same shall be pulled down or removed :

Any

- Any Person who shall alter the Fences of any public Road, or who shall build any Wall, or make any Ditch, Drain, or Water-course, or dig any Pit or Hollow, on any public Road, or within Thirty Feet of the Centre thereof (save upon or within any ancient Fence adjoining such Road), or who shall otherwise break up the Surface of any Road or Footpath, unless with the Consent of the County Surveyor or by the Authority of any Presentment :
- 5
- Any Person who shall, without the Consent of such Surveyor or Contractor, scrape any public Road, or cut any Sods or Turf on the Side of any such Road, or take any Earth, Clay, Stone, or Gravel therefrom :
- 10
- Any Person who shall draw any Timber or Stones along any Part of a public Road, without being supported by Wheels from touching the same :
- 15
- Any Person who shall ride or drive any Horse or other Animal, willingly and unnecessarily, on any Footpath :
- Provided always, that the Centre of the Road, for the Purposes of this Act, shall be deemed to be the Centre of the Part thereof made with Gravel or Stones ; and it shall be lawful for the County Surveyor or such Contractor, if duly authorized by the Justices at any Petty Sessions of such County, to fill up any Ditch or Drain which shall be scoured, deepened, or widened, or to scour any Drains which have been filled on the Side of any public Road, without such Consent as aforesaid, or to scour or deepen any Drain or Ditch leading from any Road which shall be omitted to be scoured or deepened after such due Notice as may be required by Law, or to remove any Way or Passage from any Road into any adjoining Land or to any House which may obstruct the free Passage of the Water, and to re-make the same by building a Gutter, Sewer, or Arch therein, or to pull down any Wall or fill up any Ditch or Drain which shall be so built or made contrary to the Provisions of this Act, at the Expense of the Offender or Occupier of the Lands where such Offence shall be committed ; and it shall be lawful for the Justices at any Petty Sessions of the County, upon Complaint of such Surveyor or Contractor, and upon Proof of the Expenses incurred, to issue a Warrant for the Levy of such Expenses by Distress and Sale of the Goods and Chattels of such Offender or Occupier.
- 20
- 25
- 30
- 35
- XVII. And be it enacted, That if the County Surveyor or the Contractor for the repairing of any public Road in any County shall think that such Road is prejudiced by the Shade of any Hedges or Trees (except those planted for Ornament or Shelter of any Dwelling House, Courtyard, or Garden), or if any Obstruction is caused in any public Road by any Hedge or Tree, it shall be lawful for such
- 529.
- D
- Surveyor
- Altering Fences without Consent of County Surveyor, &c. :
- Scraping Roads without Consent of County Surveyor, &c. :
- Drawing Timber, &c. so as to injure Road :
- Riding on Footpaths.
- What shall be deemed the Centre of the Road. Surveyors may fill Drains and remove Nuisances at Expense of Party offending.
- CLAUSE C. Surveyor or Contractor may require Owners of Land to prune Hedges or Trees injuring Roads.

Owners not complying to be summoned before Justices at Petty Sessions.

Justices may order Hedges or Trees to be pruned by Owner; and on Refusal of Owner, Surveyor or Contractor may do it.

Owner to pay Expenses, which may be levied by Distress and Sale;

but not to be cut or pruned at certain Seasons.

CLAUSE D. Penalty on taking Materials to the Injury of any Road or Building.

CLAUSE E. Penalty for destroying any Pay Gate or Turnpike Gate, &c. ;

Surveyor or Contractor, and they are hereby, each or either of them, authorized to require the Owner of the Land on which such Hedges or Trees are growing, to cause such Hedges to be cut or plashed, or such Trees to be pruned or lopped, so as that such Road may not be prejudiced or obstructed by the same; and if such Owner shall not comply with such Request within Ten Days it shall and may be lawful for such Surveyor or Contractor, and they are hereby respectively authorized and required, to summon such Owner before the Justices assembled at any Petty Sessions of such County, to show cause why he has not complied with such Request; and if such Justices shall order and direct that such Hedges shall be cut or plashed, or such Trees pruned or lopped, and if the said Owner shall not obey such Order within Ten Days after the making of the same, it shall and may be lawful for such Surveyor or Contractor to cut or plash such Hedges, or to prune or lop such Trees, for the Benefit and Improvement of such Road, and to remove such Obstruction as aforesaid to the best of his Skill and Judgment; and the said Surveyor or Contractor shall be reimbursed by the said Owner the Expenses he shall be at in cutting or plashing such Hedges, or pruning or lopping such Trees; and it shall be lawful for such Justices at Petty Sessions aforesaid, upon Complaint of such Surveyor or Contractor, and upon Proof of the Expenses incurred, to issue their Warrant for the Levy of such Expenses by Distress and Sale of the Goods and Chattels of such Owner or Occupier, in such Manner as any Forfeitures may be levied by virtue of this Act: Provided always, that no Person shall be compelled, nor any such Surveyor or Contractor permitted, to cut or prune any Hedge at any other Time than between the last Day of September and the last Day of March.

XVIII. And be it enacted, That if any County Surveyor or Contractor, or any other Person, shall dig, raise, and carry away any Gravel, Stones, Sand, or other Materials from the Side of any public Road, or from any Beach or Sea-shore, whereby a public Road, or Bulwark or Defence to any Bridge or like Building, or any Land within the Fences of any such Road, may be injured, he shall be liable to a Fine not exceeding Five Shillings for every Cartload of such Gravel, Stones, Sand, or other Materials so dug, raised, or carried away.

XIX. And be it enacted, That if any Person shall, by Day or by Night, wilfully damage or destroy any Pay Gate or Turnpike Gate, or any Post, Rail, Wall, Chain, Bar, or other Fence of any Kind whatsoever, which shall be used to prevent Passengers from passing by without paying the Toll payable by virtue of any Act of Parliament, or any Toll House for the Use of any such Pay Gate or Turnpike

Turnpike Gate, or shall forcibly rescue any Person or Persons, being lawfully in Custody of any Constable or other Person for any of the Offences before mentioned, he shall be liable to a Fine not exceeding Forty Shillings, or to be imprisoned for any Term not exceeding Two 5 Months.

XX. And be it enacted, That if any Person shall wilfully prevent, assault, or threaten to assault any County Surveyor or Road Contractor in the Execution of his Duty, or any Person or Persons employed by proper Authority in surveying or measuring or laying out any Line 10 intended for a new Road, or shall wilfully destroy, pull up, deface, or injure any Surveyors Instruments or Implements used in making or laying out any public Road, or any Milestone, Milepost, or Direction Post, or any Bridge, Battlement, Wall, Railing, Mound, or Fence belonging to any public Road, or shall wilfully break, 15 deface, pull down, or take away Stones out of any such Battlement, Wall, Mound, or Fence, or out of any Bridge, Pipe, Arch, or Gullet belonging to any public Road, he shall be liable to a Fine not exceeding Ten Pounds, or to be imprisoned for a Term not exceeding Three Months.

CLAUSE F.
Penalty for
assaulting
Engineers,
Surveyors,
or Contractors
on public
Roads.

XXI. And be it enacted, That it shall and may be lawful for any Two Justices of the County, upon Application of the County Surveyor, to forbid any Person or Persons from riding or driving any Kind of Beast or Carriage on any new Road for such Space of Time 20 as shall to them appear necessary, not exceeding Six Months after such new Road shall have been made; and any Person who shall wilfully disobey such Order, the same being duly notified by a Notice affixed to a Board or Boards erected upon such Road, shall be liable to a Fine not exceeding Twenty Shillings.

CLAUSE G.
Penalty for
using new
Road for
certain Time
after making.

XXII. And be it enacted, That any Person who shall commit any 30 of the next following Offences shall be liable to a Fine not exceeding Ten Shillings; that is to say,
Any Person who shall in any public Road or Street of a Town turn loose any Horse or Cattle, or set on or urge any Dog or other Animal to attack or worry any Person, Horse, or other Animal :
35 Any Person who by Negligence or Ill-usage in driving Cattle shall in any public Road or any Street of a Town cause any Mischief to be done by such Cattle :
Every Person who shall fly any Kite or play at any Game, or make or use any Slide upon Ice or Snow, on any public Road or in any 40 Street of a Town, to the common Danger of the Passengers :
Any Person who shall cast or throw any Fireworks or discharge any Fire-arms on any public Road, or within Sixty Feet of the Centre thereof, or in any Street or Passage of a Town, or who shall

Road Nuisances.

CLAUSE H.
Justices may
order Punish-
ment for the
following
Offences :
Turning
Horse, &c.
loose :
Injury from
Negligence
or Wanton-
ness in driv-
ing Cattle,
&c. :
Flying Kites
or making
Slides :
Fireworks,
&c. :

| | |
|---|---|
| <i>Offences and Obstructions on public Roads.</i> | shall cast, throw, or discharge the same, or suffer the same to be cast, thrown, or discharged, from out of his House, Shop, Dwelling, Lodging, or Habitation, or from out of any Place thereto belonging, into any public Road, Street, or Passage : |
| <i>Road Nuisances.</i> | |
| Leaving Ploughs, Harrows, &c. on the Road : | Any Person who shall leave or permit to be left on any public Road, opposite to or near his House or Office, any Plough, Harrow, Cart, or other Carriage, without the Horse or other Animal being harnessed thereto, unless such Carriage shall have been accidentally broken down there : |
| Slaughtering Beasts on a Road : | Any Person who shall slaughter any Beast, or leave any dead Beast, or skin or permit to be skinned any Beast, on any public Road or within Thirty Feet of the Centre thereof, save within any House or Yard : |
| Laying Stones, Timber, &c. : | Any Person who shall lay any Stones, Timber, Dirt, Dung, Turf, Straw, Rubbish, or Scourings of any Ditches or Drains, or other Object, on any public Road or within Thirty Feet of the Centre thereof, or in any Street of a Town, so as to cause Danger or Mischief to any Passengers, and shall allow the same to remain there longer than shall be absolutely necessary : |
| Scalding Casks, beating Flax, or winnowing Corn, &c. : | Any Person who shall hoop, scald, or fire any Cask, or bind any Car or Cart Wheels, or beat any Flax, or thresh or winnow any Corn, on any public Road or Street of a Town, or within Thirty Feet of the Centre thereof : |
| Keeping unlogged Dogs : | Any Person who shall keep or suffer to be at large within Fifty Yards of any public Road any Cur Dog, Mastiff, or Bull Dog, without having such Dog muzzled, or without having a Block of Wood fastened to the Neck of such Dog, of sufficient Weight to prevent such Dog from being dangerous : |
| Drying Flax or burning Weeds, &c. : | Any Person who shall steep any Flax, or burn any Bricks or Lime, or any Weeds or Vegetables for Ashes, upon any public Road, or within Sixty Feet of the Centre thereof, or shall make or assist in making any Fires commonly called Bonfires, or any other Kind of Fire, upon any public Road or within Sixty Feet of the Centre thereof, save within any House or Yard : |
| Carrying Timber crosswise. | Any Person who shall lead or drive on any public Road or Street of a Town any Car or Carriage with Timber, Boards, or Iron laid across, so that either End shall project more than Two Feet beyond the Wheels or Sides thereof : |
| Surveyor or Contractor not liable to Fine, except in certain Cases. | Provided always, that nothing herein contained shall render any County Surveyor or Road Contractor liable to any Fine for any Act done by such Surveyor in the Discharge of the Duties of his Office, or by such Contractor in the necessary Execution or Performance of his Contract ; but if any such Surveyor or Contractor shall lay or cause to be laid any Heap of Stones, Gravel, Rubbish, or other Matter whatever, upon any public Road, and allow the same to remain there at Night, to the Danger or personal Damage of any Person |

Person passing thereon, all due and reasonable Precautions not having been taken by him to prevent any such Danger or Damage, such Surveyor or Contractor shall be liable to a Fine not exceeding Forty Shillings.

Offences and Obstructions on public Roads.

Road Nuisances.

- 5 **XXIII.** And be it enacted, That it shall be lawful for any Person whatsoever to seize and impound, or cause to be seized or impounded, any Swine or other Beast which shall be found wandering upon any public Road, or about the Streets or Passages of any Town, in case the Owner shall not claim such Animal, or shall not be known; and
- 10 it shall be lawful for any Justice to impose upon the Owner of such Animal, if known, a Fine not exceeding Two Shillings; and in case such Fine, and the Expenses of impounding and detaining such Animal when it shall be so impounded, shall not be paid within
- 15 the Case may be, it shall be lawful for any Justice to cause such Animal to be sold, and out of the Money arising from the Sale thereof to cause such Fine and Expenses of impounding, keeping, and selling the same to be paid; rendering the Overplus (if any) to the Owner, due Notice having been previously given of such Sale, in
- 20 which shall be inserted the Name of the Parish and Townland where such Animal was seized; which Notice shall be posted up in some conspicuous Place in the Parish where such Animal was seized, and at the Place where impounded, Forty-eight Hours at the least before the Time of Sale.
- 25 **XXIV.** And be it enacted, That it shall be lawful for the County Surveyor or Road Contractor, or any Head or other Constable duly authorized in Writing by any Justice of the County, to remove any of the herein-before mentioned Objects which may be so left on any public Road or Street contrary to the Provisions of this Act, at the
- 30 Expense of the Offender; and it shall be lawful for the Justices at any Petty Sessions of the County, upon Complaint of such Surveyor Contractor, or Constable, and upon Proof of the Expense incurred, to issue a Warrant for the Levy of the same by Distress and Sale of the Goods and Chattels of the Offender; and for every Cartload of Dung,
- 35 Rubbish, Scourings, Clay, Stones, Bricks, Sand, or Lime, or other like Materials, which shall have been laid on any public Road or Street contrary to the Provisions of this Act, and which shall be allowed to remain there for more than Twenty-four Hours after the Owner thereof shall have been required by any Justice or by the County
- 40 Surveyor, by Notice in Writing, to remove the same, such Owner shall, in addition to any Fine for so leaving the same there in the first instance, be also liable to a further Fine, not exceeding Two Two Shillings and Sixpence for every Day that the same shall be

CLAUSE I.
Swine, &c. wandering on Roads may be seized and impounded, and Owner fined, &c.

Notice of Seizure to be posted.

CLAUSE K.
Justice may order Removal of Nuisances.

Fine for every Day that Materials are left on Road after Notice to remove the same.

Justices may
order dan-
gerous Dogs
to be killed.

allowed to remain there after the Expiration of said Period of Twenty-four Hours; and it shall also be lawful for any Justice or Justices, within his or their Jurisdiction, to issue a Warrant to any Head or other Constable, directing him to seize or kill any dangerous Dog which shall be kept near any public Road contrary to the Provisions 5 of this Act, and such Head or other Constable may accordingly seize or kill any such Dog.

Stage Carriages.

CLAUSE L.
Justices
may order
Punishment
for the fol-
lowing Of-
fences:
Carrying
more than
a certain
Number:

XXV. And be it enacted, That any of the Persons herein-after mentioned who shall commit any of the next following Offences on any public Road or in any Street of a Town shall, in addition to any 10 Civil Action to which he may subject himself, be liable for each of such Offences to a Fine not exceeding Forty Shillings; that is to say,

Any Driver, Owner, or Guard of any Coach, Omnibus, Car, Caravan, or other Carriage, by what Name soever the same is or shall hereafter be called or known, which shall be employed as a 15 public Stage Carriage for the Purpose of conveying Passengers for Hire, who shall permit more Passengers to be carried by the same than the Number for whom Seats shall be respectively provided, inside or outside of the same, allowing a Space of at least Sixteen Inches for each Passenger, over and above the 20 Space allotted to the Driver and Guard when there is a Guard: Provided always, that no Child under Seven Years of Age shall be included in or counted as One of such Number; and it shall be lawful for any Justice, Sub-Inspector, Head or other Constable, to stop any such Carriage which shall appear to carry a greater 25 Number of Passengers than it can legally carry under the Provisions of this Act, and to measure the Seats of same, in order to ascertain whether sufficient Space has been allotted to the Passengers:

Carrying
Luggage on
the Top of
any Carriage
with Inside
Passengers
exceeding
a certain
Height:

Any Driver, Owner, or Guard of any such Carriage who shall carry 30 a greater Number of Persons than such Carriage can carry on the Seats of same according to the Provision herein-before contained, or who shall allow any Passenger to sit upon the Top of any Luggage, or upon any Part of such Carriage not intended to carry Passengers, or who shall carry or permit or suffer any 35 Parcel or Parcels of Luggage whatever exceeding Two Feet in Height above the Roof to be conveyed on any such Carriage carrying Inside Passengers:

Omitting
to paint
Number of
Passengers to
be conveyed,
on the Doors,
&c. of public
Carriages:

Any Person who shall keep any such Carriage for the Purpose of conveying Passengers for Hire, and who shall not paint or cause 40 to be painted on the Outside of the Door, or of each Door, when there shall be more than One, of such Carriage, or on some other conspicuous Part of such Carriage, in legible Letters of at least One Inch in Height, and in a different Colour from the Ground on

on which the same is painted, and in Words at Length, the Number of Passengers which such Carriage shall be intended to carry, together with the Name or Names of the Person or Persons or Firm of the Company of Proprietors to whom such Carriage shall belong, or who shall cause any such Carriage as aforesaid to be employed or used for carrying any Passengers for Hire without having the said Words painted in such Manner as is herein-before directed :

Offences and Obstructions on public Roads.

Stage Carriages.

Any Driver or Guard of any such Carriage who shall, by reason of Intoxication, Negligence, or other Misconduct, endanger the Passengers in their Lives or their Property, or the Property of any other Person with which they may be intrusted, or who shall wilfully mis-spend or lose Time on the Road, or who shall use abusive or insulting Language to any Passengers, or who shall demand or exact more than the proper Fare due from any Passenger : Provided always, that in any such Case the Justice or Justices may, in addition to the Fine, order such Offender to repay to the Party aggrieved any Sum so exacted, and also to make reasonable Compensation for any Damage or Loss caused by such Mischief :

Misconduct of Drivers, &c. to Passengers, &c.

Any Driver of any such Carriage who shall (at any Place or Places where Assistance can be procured) quit his Horse or Horses, or the Box of such Carriage, until a proper Person or Persons shall stand at the Head of the Horse or Horses or Fore-horse or Fore-horses, or shall hold the Reins so as to prevent them from running away, or any such Person or Persons who shall not remain at their Head or hold the Reins until the Driver has returned to his Box, or any Driver of any such Carriage who shall intrust the Reins to any other Person to drive such Carriage, or any Person who shall so take such Reins and drive such Carriage :

Drivers leaving their Horses until a proper Person shall stand at their Head.

And any Summons issued by any Justice requiring any Owner, Driver, or Guard of any such Carriage to appear before him to answer to any Complaint for any such Offence, shall be deemed good and sufficient Service in case the same be left with the known or acting Book-keeper, or with any other Person having the Care of any Office where Places are usually taken or Parcels received for such Carriage.

Summons for the Driver left with the Book-keeper to be good Service.

XXVI. And be it enacted, That any of the Persons herein-after mentioned who shall commit any of the next following Offences on any public Road, or in any Street of a Town, shall, in addition to any Civil Action to which he may subject himself, be liable for every

Carts and Curs.
CLAUSE M.
Justices may order Punishment, &c. for the following Offences :

every such Offence to a Fine not exceeding Ten Shillings; that is to say,

Where
Names of
Owners are
not painted
on Carts, &c.:

Any Owner of any Cart, Dray, Waggon, or other such Carriage for the Conveyance of Goods, who shall not paint or cause to be painted upon some conspicuous Part of the Right or Off Side of 5 such Carriage, before the same shall be used on any public Road or Street of a Town, in legible Letters not less than One Inch in Height, and in a different Colour from the Ground on which the same is painted, and in Words at Length, his Name or Residence, or the Name and Residence of a Partner 10 or Owner thereof, and who shall not continue the same thereupon so long as such Carriage shall be used upon any such public Road or Street, or who shall use or allow the same to be used on any such public Road or Street without the said Name and Residence being painted thereon as aforesaid, or who shall suffer 15 the same to become illegible, or who shall paint or cause to be painted any false or fictitious Name or Residence on such Carriage:

One Driver
taking
charge of
more than
One Cart,
&c., except
in certain
Cases:

Any Person who shall act as the Driver or have the sole Charge of more than One such Carriage as last aforesaid on any public 20 Road or Street, unless in the Cases where Two of such Carriages and no more shall be drawn each by One Horse only, and the Horse of the hinder of such Carriages shall be attached by a sufficient Rein to the Back of the foremost of such Carriages:

Drivers of
Carts riding
thereon with-
out some
other Person
to guide
them:

Any Person having the Care and Charge of any such Carriage 25 as last aforesaid who shall ride upon the same, or upon any Horse drawing the same, on any public Road or Street, not being accompanied by some other Person on Foot or on Horseback to guide the same, except where such Carriage shall be driven with Reins, and be conducted by some Person holding 30 the Reins of all the Horses drawing the same:

Drivers
leaving their
Carts:

Any Driver of any such Carriage as last aforesaid who shall negligently or wilfully be at such Distance from such Carriage, or in such a Situation whilst it shall be passing upon any such Road or Street, that he cannot have the Direction of the Horse 35 or Horses drawing the same, or shall leave any such Carriage on such Road or Street so as to obstruct the Passage thereof:

Drivers re-
fusing to tell
Owner's
Name.

Any Driver of any such Carriage as last aforesaid, not having the Owner's Name thereon as hereby required, and remaining legible thereon, who shall refuse to tell or to discover the true Christian 40 and Surname and Residence of the Owner of such Carriage:

One-horse
Cars without
double Reins.

Any Person having the Care of any such Carriage drawn by One Horse, Mule, or Ass who shall not have a double Rein extending back to such Carriage.

XXVII. And

XXVII. And be it enacted, That any Person who shall on any public Road or Street commit any of the next following Offences shall, in addition to any Civil Action to which he may make himself liable, be also liable for every such Offence to the Punishment herein-
5 after specified in each Case ; that is to say,

CLAUSE N.
Justices
may order
Punishment
for the fol-
lowing
Offences :

Any Person driving any Carriage whatsoever, or riding any Horse or other Animal, who, meeting any other Carriage or Horse or other Animal, shall not keep his Carriage or Horse or other Animal on the Left or Near Side of the Road or Street, or, if
10 passing any other Carriage or Horse or other Animal going in the same Direction, shall not in all Cases where it is practicable go and pass to the Right Side of such other Carriage or Horse or other Animal, shall be liable to a Fine not exceeding Ten Shillings :

Keeping on
wrong Side
of the Road :

15 Any Person riding any Horse and leading any other Horse, who shall not keep such led Horse on the Side away from any Carriage or Person passing him on any public Road or in any Street of a Town, shall be liable to a Fine not exceeding Ten Shillings :

Passing with
a led Horse :

20 Any Person who shall in any Manner wilfully prevent any other Person, or any Carriage or Horse or other Animal under his Care, from passing him upon any public Road or Street, or who shall by Negligence or Misbehaviour prevent, hinder, or interrupt the free Passage of any Person or Carriage on any public Road or
25 Street, shall be liable to a Fine not exceeding Twenty Shillings :

Obstructing
free Pas-
sage :

Any Person riding any Horse or Animal, or driving any Sort of Carriage, who shall ride or drive the same furiously on any public Road or Street so as to endanger the Life or Limb of any Passenger or Person, or to the common Danger of the Pas-
30 sengers, or who shall by Carelessness or wilful Misbehaviour cause any Hurt or Damage to any Person or Property being on any public Road or Street, shall be liable to a Fine not exceeding Twenty Shillings :

Furious
driving :

And no Cart, Dray, Waggon, or other such Carriage, and no
35 Hackney Car or Carriage, or Car or Carriage let on Hire, travelling on any public Road or Street, shall be driven by any Person who shall not be of the full Age of Thirteen Years, under a Penalty not exceeding Ten Shillings, to be paid by the Owner of such Carriage.

Children
under Thir-
teen Years
not to drive.

40 XXVIII. And be it enacted, That in every Case where any Hurt or Damage shall have been caused by the Commission of any of the said Offences upon Roads or in Streets of Towns, the Justice or
529. F Justices,

CLAUSE O.
Compensa-
tion for
Damage not
exceeding
40s. recover-

able before
Justices in
such Cases.

Justices, upon the Hearing of the Complaint, may, in addition to any Penalty herein provided, adjudge as and for Compensation to be paid to any Party aggrieved thereof a Sum not exceeding Forty Shillings, provided such Amount of Damage shall have been proved, and may order the Party offending, or, in case of an Offence by the Driver of 5 any Carriage, the Owner of such Carriage, forthwith to pay such Sum, and also such Costs as shall have been incurred, and the Payment thereof may be enforced in like Manner as any Fine may be enforced under and by virtue of this Act, and subject to the like Provisions as to Imprisonment in default of Distress for the same: 10

Owners may
recover over
against Drivers.

Provided always, that any Sum which shall be so paid by the Owner shall and may in like Manner be recovered by him in a summary Way before a Justice or Justices from the Driver through whose Default such Sum shall have been so paid, upon Proof of the Payment thereof pursuant to the Order of the Justice or Justices. 15

CLAUSE P.
Constabulary to take
cognizance
of Offences.

XXIX. And be it enacted, That the County and Sub Inspectors, Head and other Constables of the Constabulary Force shall take cognizance of all such Offences upon any public Road or in any Street of a Town as aforesaid, and shall, in every Case where the Name and Residence of any such Offender is known or can be ascer- 20 tained, summon him before the Justices at Petty Sessions; and where the Name and Residence of such Offender shall be unknown and cannot be ascertained, he may, with or without any Warrant, be apprehended by any County or Sub Inspector, Head or other Constable, or any Persons whom he may call to his Assistance, 25 and shall be forthwith conveyed before any Justice or Justices, to be dealt with according to Law; and if any such Person in any of the Cases aforesaid shall refuse to discover his Name, it shall be lawful for the said Justice or Justices before whom he shall be taken, or to whom any such Complaint shall be 30 made, to commit him to Gaol, there to be kept to hard Labour for any Time not exceeding One Month, or to entertain any Proceeding against him for the Penalty aforesaid by a Description of his Person and the Offence only, without adding any Name or Designation, but expressing in the Proceedings that he refused to 35 discover his Name; and in all Cases of Proceedings for any such Offences by the Owner or Driver of any Carriage or Animal on any public Road or Street of a Town, it shall be lawful to summon the Offender either before the Justices of the Petty Sessions District in which the Offence shall be committed, or before the Justices 40 of any other Petty Sessions District in which such Offender may reside or be at the Time of taking such Proceeding, and such Justices are hereby authorized to hear and determine such Case, either upon the

Offenders, if
known, to be
summoned;
if not known,
may be
arrested.

Proceeding
if Driver will
not discover
his Name.

Offenders as
to Carriages,
&c. on Roads
may be pro-
ceeded
against
wherever
they may be.

the Complaint of such County or Sub Inspector, Head or other Constable, or of any other Person.

*Offences and
Obstructions
on public
Roads.*

XXX. And be it enacted, That whenever any Person having charge of any Horse, Cart, Carriage, or any other Animal or Thing, shall be taken into the Custody of any Head or other Constable under the Provision herein-before last contained, it shall be lawful for such Head or other Constable to take charge of such Horse, Cart, Carriage, or such other Animal or Thing, and to deposit the same in some Place of safe Custody, as a Security for Payment of any Penalty to which the Person having had charge thereof may become liable, and for Payment of any Expenses which may have been necessarily incurred for taking charge of and keeping the same; and it shall be lawful for the Justice or Justices by whom the Case shall be heard to order that, in default of such Penalty and Expenses being paid, such Horse, Cart, Carriage, or such other Animal or Thing, shall be sold, for the Purpose of satisfying such Penalty and Expenses, in like Manner as if the same had been subject to be distrained and had been distrained for the Payment of the same.

*Horses, Car-
riages, &c.
of Offenders
may be de-
tained.*

*CIVIL
JURISDICTION.*

XXXI. And be it enacted, That from and after the passing of this Act, when the Term or Interest of the Tenant of any House or any Part of a House, situate in any City, Town, or Village in which any Fair or Market is usually held, and which shall be held by him for any Term not exceeding One Calendar Month at a Rent not exceeding the Rate of One Pound Sterling by the Month, shall have ended, or shall have been duly determined by a legal Notice to quit, and such Tenant, or (if such Tenant do not actually occupy the Premises, or only a Part thereof,) any Person by whom the same or any Part thereof shall be then actually occupied, shall neglect or refuse to deliver up Possession of the same, it shall be lawful for the Landlord of the said Premises, or his known Agent, or for the Receiver of the Rents of his Estate, to cause the Person so neglecting or refusing to quit and deliver up Possession to be served with a Summons in Writing, to be signed by a Justice or Justices having Jurisdiction in the Place in which the said Premises shall be situated, to appear before a Justice or Justices at the Petty Sessions of the District in which the said Premises shall be situated, to show Cause why Possession of the said Premises should not be delivered up to such Landlord or such Agent or Receiver as aforesaid; and if the Tenant or Occupier shall not appear at the Time and Place appointed, or if such Tenant or Occupier shall appear, and shall not show to the Satisfaction of such Justice or Justices reasonable Cause why Possession should not be given, and shall still neglect or refuse to deliver up the Possession of the said Premises, or such

*Order for
Possession of
Small
Tenements.*

*Possession
of small
Tenements
may be re-
covered by
Summons
before Jus-
tices of the
Peace.
11 & 12 Vict.
c. 28. s. 16.*

Order for Possession of Small Tenements.

Part thereof as he was in possession or occupation of at the Time of the Service of such Summons, to the said Landlord or the said Agent or Receiver, it shall be lawful for the said Landlord or the said Agent or Receiver to give such Justice or Justices Proof of the Holding and of the End or Determination of the Tenancy, with 5 the Time and Manner thereof, and, where the Title of the Landlord hath accrued since the letting of the Premises, the Right by which he claims the Possession; and thereupon it shall be lawful for such Justice or Justices to issue a Warrant under their Hands to any Head or other Constable of or acting in the District within which such 10 Premises shall be situate, or to any other Person as a special Bailiff in that Behalf, requiring and authorizing him, within a Period to be therein named, not less than Seven or more than Ten clear Days from the Date of such Warrant, to give Possession of the Premises to such Landlord, Agent, or Receiver; and such Warrant shall be a 15 sufficient Warrant to the said Constable or Bailiff to enter upon the Premises, with such Assistants as he shall deem necessary, and to give Possession accordingly: Provided always, that Entry upon any such Warrant shall not be made on a Sunday, Good Friday, or Christmas Day, or at any Time except between the Hours of Nine 20 in the Morning and Four in the Afternoon.

If Party summoned shall give Undertaking to deliver up Possession and pay Arrears of Rent in Fourteen Days, no Warrant shall issue till the Expiration of that Period. If Party continues in possession at the End of Fourteen Days, Justices may issue Warrant without further Notice.

XXXII. And be it enacted, That if the Party so summoned to give up Possession shall, in obedience to such Summons, appear before the Justices, and shall give an Undertaking (to be entered in Writing by the Clerk of Petty Sessions) quietly and peaceably to deliver up, 25 within Fourteen Days from the Date thereof, Possession of the Premises of which he is such Tenant or Occupier, in good Order and Repair, to the Landlord, or such Agent or Receiver, and in the meantime to pay all Rent and Arrears of Rent claimed by such Landlord in respect to such Tenement, in such Case the Justices shall not issue 30 their Warrant for giving Possession till the Expiration of such Period of Fourteen Days: Provided always, that if the Tenant or Occupier shall at the Expiration of such Period continue in possession or occupation of the said Tenement, save by the Permission of such Landlord, Agent, or Receiver, it shall be lawful for the Justices, at 35 the Instance of the Landlord or such Agent or of Receiver, to issue their Warrant for giving Possession of the same as aforesaid, and such Warrant shall be executed forthwith, without further Notice to such Tenant or Occupier.

Manner in which such Summons shall be served.

XXXIII. And be it enacted, That such Summons as last aforesaid 40 may be served either personally or by leaving the same with some Person being in occupation of such House or Part of a House, and where the Tenant of such House or Part of a House shall not reside therein,

therein, by serving the same personally or by leaving the same at the Place of Abode of the Tenant so holding over as aforesaid Four clear Days before the Day appointed for the Hearing of the Matter of the said Summons: Provided always, that if the Person so holding over
 5 cannot be found, and Admission into the Premises so overheld for serving such Summons cannot be obtained, and the Place of Abode of such Person not residing as aforesaid shall either not be known or Admission thereto cannot be obtained for serving such Summons, the posting of the said Summons on some conspicuous Part of the
 10 Premises so held over shall be deemed to be good Service upon such Person.

Substitution
of Service
in certain
Cases.

XXXIV. And be it enacted, That nothing herein contained shall be deemed to protect any Person by whom any such Warrant for the Delivery of Possession of Tenements shall be sued out as aforesaid
 15 from any Action which may be brought against him by any such Tenant or Occupier for or in respect of such Entry and taking possession, where such Person had not, at the Time of suing out the same as aforesaid, lawful Right to the Possession of the said Premises.

But Act not
to protect
Persons who
have no
legal Right.

XXXV. And be it enacted, That if any Servant, Artificer, or Labourer or other Person shall engage, by a Contract in Writing signed by both Parties, with any Person, to serve him at any Time and in any Manner, and shall not enter into or commence his Service according to such Contract, or having entered into any Service under
 25 any Contract, whether in Writing or not, shall absent himself from the same before the Term specified in such Contract shall be completed, or shall neglect to fulfil the same, or shall be guilty of any Misconduct or Misdemeanor in the Execution of the same or in any way respecting the same, it shall be lawful for any Justice or Justices, upon
 30 Complaint thereof on Oath, either to summon such Servant to Petty Sessions, or to issue his or their Warrant to apprehend such Servant, Artificer, or Labourer, and to hear and determine at Petty Sessions such Complaint made against him by his Employer, or by the Steward, Manager, or Agent of his Employer, and if it shall appear
 35 that he has not fulfilled his Contract, or has been guilty of any Misconduct in respect to the same, to impose upon him a Fine not exceeding the Sum of Five Pounds, and in default of Payment of such Fine at such Time as the Justice or Justices shall fix, to commit him to Gaol for any Term not exceeding Three Months,
 40 and to abate the whole or a Part of his Wages, and, if he shall see fit, to discharge him from his Contract or Service, by Writing under the Hand of such Justice.

Master and
Servant.

Justice may
punish Ser-
vant, &c. for
not observing
Contract.
4 G. 4. c. 34.
s. 3.

*Master and
Servant.*

Justice may
order Wages
to be paid.
54 G. 3. c. 116.
s. 3.

XXXVI. And be it enacted, That it shall be lawful for any Justice or Justices to hear and determine any Disputes and Differences which shall arise between any Master and his Apprentice, or any Employer and his Labourers or Servants, concerning any Wages, where the Demand, whether originally greater or not, shall not exceed Ten 5 Pounds, and whether such Wages shall be due in respect to any Day's Work or to any Labour done or performed by Task, Job, or Contract, and to make such Order for Payment of so much Wages to any such Apprentice, Labourer, or Servant as, according to the Terms of his Apprenticeship or other Agreement, as the Case may be, shall appear, 10 under all the Circumstances of the Case, to be justly due, and also of so much Compensation as is herein-after provided; and if such Sum, and such Costs and Compensation as may be awarded, shall not be paid by the Person ordered to pay the same, either immediately or within such Time as shall be directed by the Justice or Justices, it 15 shall be lawful for him or them, and he or they are hereby required, to issue his or their Warrant to levy the same by Distress and Sale of the Goods and Chattels of such Person refusing or omitting to pay the same, rendering the Overplus, if any, to such Person.

How Ser-
vants, &c.
shall recover
their Wages
in Cases of
Absence of
Masters, &c.
4 G. 4. c. 34.
s. 4.

XXXVII. And be it enacted, That in every Case where the 20 Master or Employer shall entrust his Business to the Management and Superintendence of any Steward, Agent, Bailiff, Foreman, or Manager, it shall be lawful for any Justice or Justices, upon the Complaint of any such Servant, Artificer, Labourer, or Apprentice concerning the Nonpayment of his Wages, to summon such Steward, 25 Agent, Bailiff, Foreman, or Manager to appear at Petty Sessions, and to hear and determine the Matter of the Complaint in such and the like Manner as Complaints of the like Nature against any Master or Employer are herein-before directed to be heard and determined, and thereupon to make an Order for the Payment by such Steward, 30 Agent, Bailiff, Foreman, or Manager to such Servant, Artificer, Labourer, or Apprentice of so much Wages as to such Justice or Justices shall appear to be justly due, provided that the Sum claimed shall not exceed the Sum of Ten Pounds; and in case of Refusal or Nonpayment of any such Sum and Costs at such Time as shall be 35 directed by such Justice or Justices, such Justice or Justices shall and may issue his or their Warrant to levy the same by Distress and Sale of the Goods and Chattels of such Master or Employer, rendering the Overplus to such Master or Employer, or to such Steward, Agent, Bailiff, Foreman, or Manager, for the Use of such Master or Employer, 40 after Payment of the Charges of such Distress and Sale.

Justices may
award further
Sum to Ser-

XXXVIII. And be it further enacted, That whenever it shall appear to the Satisfaction of the Justice or Justices that any Servant, Artificer, or

- or Labourer has been or is likely to be detained from his Home or usual Place of Residence, or has suffered or is likely to suffer any additional Loss by reason of the Nonpayment of any Wages which such Justice shall so adjudge to be due, it shall be lawful for such
- 5 Justice or Justices to order that there shall be paid to such Servant, Artificer, or Labourer, not only the Sum so due for Wages as aforesaid, but also such further Sum for the Time during which such Servant, Artificer, or Labourer shall have been so detained from his usual Place of Residence, or for the Loss suffered or likely to be
- 10 suffered, as such Justice or Justices shall think and adjudge to be reasonable, having regard to the Length of such Detention, the Diligence or Remissness of either Party, the usual Wages of such Servant, Artificer, or Labourer, and the Wages which within the Time of such Detention such Servant, Artificer, or Labourer did earn, or under all
- 15 the Circumstances of the Case might have earned: Provided always, that such additional Sums or Sum so ordered shall not exceed the Sum of Two Pounds.

vants, &c. as
Compensa-
tion for Loss
of Time in
recovering
Wages.

54G.3. c.116.
s. 5.

- XXXIX. And be it enacted, That all Persons, whether Artificers or Servants, or otherwise, who shall be employed to do any Species
- 20 of Work or Labour whatsoever for Hire, and whether he shall find Materials for the Performance of his Contract or not, shall be deemed and taken to be Labourers within the true Intent and Meaning of the Provisions of this Act, and shall be entitled to recover Wages as such, under and according to the Regulations aforesaid.

Labourers
defined.

54G.3. c.116.
s. 4.

- XL. And be it enacted, That all Sums which shall be due or payable for the Hire of any Horse, Ass, Mule, Bullock, or other Animal for Draught, or of any Cart, Dray, Car, Plough, Harrow, or Vehicle drawn by any such Animal for the Purpose of any labouring Work, (not being for the Carriage of any Passenger or Passengers,) or
- 30 for the Hire of any Boat for the Purpose of any labouring Work (not being for the Carriage of any Passenger or Passengers), where the Demand, whether originally of greater Amount or not, and whether such Hire shall be by the Day or by Contract or otherwise, shall not exceed Ten Pounds, shall be recoverable in the same Manner and
- 35 subject to the same Conditions and Limitations as are herein-before contained in respect to Wages.

The Hire
of Horses,
Carts, &c. to
be recover-
able in like
Manner.

12 Vict. c. 15.
s. 2.

- XLI. And be it enacted, That all Sums which shall be due or payable to any Schoolmaster or Teacher for the teaching of any Child in any School or otherwise, when the Demand, whether originally
- 40 greater or not, shall not exceed Ten Pounds, and whether the Engagement shall be for a Payment by the Day or other Period, or in any other

Remunera-
tion for
Tuition to be
recoverable
in like
Manner.

7 Vict. c. 8.

529.

*Master and
Servant.*

other Manner, shall be recoverable from the Parent or Parents or from such other Person as shall have engaged such Teacher or Schoolmaster to teach such Child, in the same Manner and subject to the same Limitations and Conditions as are herein-before contained in respect to Wages.

5

*Fairs and
Markets.*

Justices may
make Awards
as to Dis-
putes where
Value does
not exceed
5*l*.

XLII. And be it enacted, That whenever any Dispute shall arise between any Buyer and Seller relating to the Terms of Sale, Delivery, Price, or Payment for any Article, Matter, or Thing which shall be exhibited for Sale in any Fair or Market, and which shall not be of a greater Value than Five Pounds, it shall be lawful for any Justice 10 or Justices, within his or their Jurisdiction, to hear and determine such Dispute forthwith, upon the Complaint of either Party, and in Presence of both Parties, and, if necessary, to cause all Parties to be brought before him for that Purpose; and it shall be lawful for such Justice or Justices, having examined into the said Complaint upon 15 the Oath of either of the Parties or of any Witness or Witnesses, to make an Award thereon according to the Merits of the Case, with Costs not exceeding Five Shillings, and such Award shall be in Writing, and shall have the like Force and Effect as any Order made by a Justice at Petty Sessions.

20

Justices may
make Regu-
lations as to
Markets.

XLIII. And be it enacted, That it shall be lawful for the Town Commissioners acting under an Act of the Ninth Year of King George the Fourth Chapter Eighty-two, and for the Commissioners acting under any other local or special Acts giving them like Powers in their respective Towns not being Corporate Towns, and 25 for the Justices at Petty Sessions in other Market Towns, not being Corporate Towns, from Time to Time to make such Regulations as they shall see fit for the better Management of Markets in the Towns aforesaid, by appointing specified Places in such Markets where the different Goods to be named by them shall be exposed for 30 Sale, and for keeping or causing to be kept free and clear from Obstruction all Passages or Thoroughfares in and through the said Markets, and for keeping or causing to be kept all said Markets, and all Passages therein and thereto, clear and free from any Dirt or Nuisances of any Kind whatever, and for preventing all Indecencies 35 being committed therein, provided that no such Regulations shall interfere with or impede the due Accommodation of Persons lawfully exposing Goods or Wares for Sale therein; and it shall be lawful for the said Mayor, Town Commissioners, or Justices to give due Notice of such Regulations, by causing the same to be painted on a 40 Board, and affixed in some conspicuous Place in any such Market, in like Manner as Schedules of Tolls and Customs in Markets are now required

required by Law to be affixed; and if any Person shall offend against any of the said Regulations, by exhibiting Goods or Wares in any such Market in any Place other than that appointed for the Sale of the same, or by refusing to remove the same when required so to do, or by obstructing the Passages or Thoroughfares in and through such Market, by placing or leaving any Impediment of any Kind therein, or by leaving or causing to be left any Dirt or Nuisance of any Kind therein, or shall commit any Indecency in said Market or in the Passages thereto, he shall, on Conviction thereof before a Justice or Justices, pay a Fine for a First Offence not exceeding Five Shillings, and Costs not exceeding One Shilling, and for a Second Offence a Fine not exceeding Ten Shillings, and Costs not exceeding Two Shillings.

Fairs and Markets.

XLIV. And be it enacted, That any Person who shall, within any City, Borough, or Market Town in Ireland, or within a Quarter of a Mile from the Boundary thereof, cause any Cart, Dray, Waggon, or other such Carriage, or any public or Hackney Car or Carriage, to stand in any public Road or Street longer than may be reasonable or necessary for loading or unloading, or for taking up or setting down Passengers, (except any Cart, Dray, Waggon, or other such Carriage lawfully standing in any Place customarily used for such Purpose in any public Market or Fair, and except any public or Hackney Car or Carriage standing for Hire in any Place allowed for such Purpose by any Order in Writing to be made by the Justices at the Petty Sessions of the District, and which Order such Justices are hereby empowered to make,) or any Person who shall within any such Place or Limits as aforesaid, except as hereinbefore excepted, by means of any such Carriage, wilfully interrupt any public Crossing, or wilfully cause any Obstruction in any public Road or Street, shall, on Conviction thereof before a Justice or Justices, pay for every such Offence a Fine not exceeding Twenty Shillings.

Persons obstructing with Hackney Cars, Carts, &c. &c. liable to a Fine.

Justices may appoint Stands for Cars.

XLV. And be it enacted, That the Head Constable of each District shall henceforth be ex officio an Inspector of Weights and Measures within such District, and shall possess and exercise all the Powers and Authorities which any Inspector of Weights and Measures may possess or exercise under and by virtue of an Act passed in the Fifth and Sixth Years of the Reign of King William the Fourth, Chapter Sixty-three, and shall perform such Duties, under the Direction of the Justices at Petty Sessions, without Fee or Reward, and notwithstanding any manorial Jurisdiction or Claim of Jurisdiction within such District.

CLAUSE Q. Head Constable shall be Inspector of Weights and Measures.

General Provisions.

Compensation awarded to be paid to Party aggrieved, except in certain Cases. 9 G. 4. c. 56. s. 39.

XLVI. And be it enacted, That in every Case where any Sum shall be awarded under the Provisions of this Act as Compensation for Damage, or as the Value of any Article, or as the Amount of any Injury done, such Sum shall in the Case of private Property be paid to the Party aggrieved, if known, and where the Party aggrieved is unknown, or in the Case of Property of a public Nature or wherein any public Right is concerned, such Sum shall be applied in such Manner as other Penalties imposed by a Justice shall by Law be applicable: Provided always, that where several Persons join in an Offence, and are severally punished each in the Amount of the Injury done, no more than One of such Sums shall be paid to the Party aggrieved, and the rest shall be applied as other Penalties imposed by a Justice shall be by Law applicable.

Application of Fines.

XLVII. And be it enacted, That in every Case where a Fine for an Offence shall be imposed under the Provisions of this Act, and no Sum shall be awarded to the Prosecutor by way of Compensation for Damages, it shall be lawful for the Justice or Justices before whom the Conviction shall take place, if he or they shall see fit, to award any Sum not exceeding One Third of such Fine to the Informer, and the Remainder of such Fine and all other Fines imposed under the Provisions of this Act shall be awarded to the Crown.

What Persons shall be competent Witnesses.

Complainants in all Cases.

Defendants in Wages Cases.

XLVIII. And be it enacted, That in all Cases of Prosecutions for Offences under this Act the Evidence of the Party aggrieved shall be admissible in proof of the Offence; and in all Cases of Complaints on which a Justice or Justices can make an Order for the Payment of Money under this Act the Evidence of the Complainant shall be admissible in proof of his Complaint; and in Cases of Wages it shall be lawful for the Justice or Justices, and they are hereby empowered, to summon before him or them the Master or Employer as a Witness, and the Evidence of such Witness may, in the Discretion of the Justice or Justices, be admitted in proof against the Complaint.

The Justice may discharge the Offender in certain Cases.

XLIX. And be it enacted, That where any Person shall be convicted before a Justice or Justices of the Peace of any Offence against this Act, and it shall be a First Conviction, it shall be lawful for the Justice or Justices, if he or they shall so think fit, to discharge the Offender from his Conviction, upon his making such Satisfaction to the Party aggrieved, for Damages and Costs or either of them, as shall be ascertained by the Justice or Justices.

Pardon for Nonpayment of Money.

L. And be it enacted, That it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of Ireland to extend the Royal Mercy to any Person imprisoned by virtue of this Act, although

although he shall be imprisoned for Nonpayment of Money to some Party other than the Crown.

General Provisions.

LI. And be it enacted, That in all Cases of summary Proceedings under the Provisions of this Act the Information may be laid
5 or the Complaint may be made within Six Calendar Months from the Time when the Matter of such Information or Complaint arose, or, in case of Wages, Hire, or Tuition, within Twelve Months from the Termination of the Period when the Cause of Complaint shall have arisen, and not otherwise, any Act to the contrary notwithstanding.

CLAUSE R.
All Complaints to be made within Six Months, except for Wages, &c., which may be made within 12 Months.

LII. And be it enacted, That in any Case of summary Proceedings where an Order shall be made by any Justice or Justices for any Penalty or other Sum exceeding Forty Shillings, or for any Term of Imprisonment exceeding Two Months, or for the doing of anything
15 a greater Expense than Forty Shillings, but not in any other Case, the Party against whom such Order shall be made shall be entitled to appeal to the next Quarter Sessions to be held in the same Division of the County wherein the Order shall have been made, unless when the same shall commence within Three Days from the Date of the Order, in which Case, if the Appellant sees fit, it may be made to
20 the next succeeding Quarter Sessions of such Division; and it shall be lawful for such Court of Quarter Sessions to hear and determine such Appeal.

CLAUSE S.
In what Cases Appeals shall be permitted.

Appeal only to next Quarter Sessions of the Division.

LIII. And be it enacted, That in every such Case where a Party shall have a Right to appeal from any Order he shall not exercise
25 such Right unless he shall serve Notice of his Intention to appeal upon either the Clerk of the Petty Sessions or the Justice who shall have made such Order, and also upon the opposite Party, within Three Days from the Date of such Order, and unless he shall also enter into a Recognizance, with Two solvent Sureties, conditioned to
30 prosecute such Appeal, and to pay such Sum and Costs, together with such other Costs as may be awarded against him upon such Appeal if the same be not decided in his Favour; and the Amount of such Recognizance shall be double the Amount of the Sum and Costs ordered to be paid, or double the Amount of a Sum calculated
35 at the Rate of Ten Shillings for every Week of the Imprisonment, where Imprisonment only is ordered.

CLAUSE T.
Notice to Clerk or Justice, and also to opposite Party, to be given within Three Days, and in certain Cases specifying Grounds. Recognizance to prosecute Appeal. Amount of Recognizance.

LIV. And be it enacted, That in any Case where a Party shall be in Custody, or shall have been committed to Gaol, under any such Order of a Justice or Justices, and being entitled to appeal shall have
40 served the proper Notice and entered into the proper Recognizance to prosecute his Appeal, the Justice by whom the Warrant of Com-

CLAUSE U.
On Appeal being duly made, the Justice to discharge the Defendant.

General Provisions.

mittal shall have been issued, or any other Justice of the same County, shall, upon an Application being made to him in that Behalf, forthwith order the Discharge of such Person from Custody or from Gaol, as the Case may be.

Offences may also be punished on Indictment.

LV. And be it enacted, That any Person who shall commit any 5 of the Offences herein-before mentioned, and now by Law punishable by Indictment, may, at the Discretion of the Justice or Justices, be proceeded against and punished for the same either upon Indictment or before a Justice or Justices upon summary Conviction; and in every Case where, under the Provisions of any other Act, the 10 Commission of any of the said Offences a Second or subsequent Time shall be punishable upon Indictment for the same, such Second or subsequent Offence shall continue punishable in the same Manner as if this Act had not been passed.

No Order or Adjudication made on Appeal shall be quashed for Want of Form.

LVI. And be it enacted, That no Order made under the Pro- 15 visions of this Act, nor any Adjudication made on Appeal therefrom, shall be quashed for Want of Form, or be removed by Certiorari or otherwise into any of Her Majesty's Superior Courts of Record.

Interpretation Clause.

LVII. And be it enacted, That in the Interpretation of this Act, save where there is anything in the Subject or Context repugnant to 20 such Construction, the Word "County" shall be deemed to include "County of a City" or "County of a Town;" the Word "Justice" shall mean "Justice of the Peace," and shall include a "Divisional Justice" of the Police District of Dublin Metropolis, or "Chief Magistrate" of any Corporate Town; the Word "Petty Sessions" shall 25 include a "Divisional Police Office" of Dublin Metropolis; the Word "Gaol" shall include any "House of Correction" or "Bridewell" of the County to which any Person may be legally committed by any Justice; the Word "Oath" shall include "Affirmation" or "solemn Declaration," as the Case may be; the Word "Month" shall mean 30 "Calendar Month;" the Word "Road" shall include "Highway" or other public Thoroughfare, and "Street" shall include any Lane or Passage in any Town; and the Word "Horse" shall include any other Animal of any Kind commonly used or employed in drawing any Kind of Carriage; Words denoting the Masculine Gender shall 35 include Females as well as Males, and Words denoting the Singular Number shall include Two or more Persons or Things as well as One Person or Thing and vice versá.

Repeal of certain Acts.

LVIII. And be it enacted, That from and after the passing of this Act the several Acts and Parts of Acts herein-after mentioned shall 40 be and the same are hereby repealed, together with all other Acts and Parts

Parts of Acts inconsistent with the Provisions of this Act, except so much of said Acts as repeal any other Acts or Parts of Acts, and also except as to any Offence committed before the passing of this Act, or any Proceedings now pending to which the same or any of
 5 them are applicable; that is to say,

*General
Provisions.*

“ An Act to prevent the throwing or firing of Squibs, Serpents, and
 “ other Fireworks :” 5 G. 2. c. 12.

So much of an Act passed in the Eleventh Year of King George
 the Third, intituled “ An Act for punishing such Persons as shall
 10 “ do Injuries and Violence to the Persons or Properties of His
 “ Majesty’s Subjects, with Intent to hinder the Exportation of
 “ Corn,” as relates to the Jurisdiction of Justices of the Peace
 as to summary Convictions :

An Act passed in the Twenty-seventh Year of the Reign of King
 15 George the Third, intituled “ An Act for preventing the wilful
 “ Destruction of Turnpike Gates, and for the better securing
 “ the Payment of Tolls at such Gates :” 27 G. 3. c. 53.

So much of an Act passed in the Forty-ninth Year of the Reign of
 King George the Third, intituled “ An Act for amending the
 20 “ Irish Road Acts,” as relates to the Mode in which Carriages
 and Persons shall pass each other on any public Road : 49 G. 3. c. 84.

An Act passed in the Fiftieth Year of the Reign of King George
 the Third, intituled “ An Act to repeal certain Parts of several
 25 “ Acts of the Parliament of Ireland, so far as relates to the
 “ limiting the Number of Persons to be carried by Stage
 “ Coaches or other Carriages, and for enacting other Limitations
 “ in lieu thereof, and for other Purposes relating thereto :” 50 G. 3. c. 32.

An Act passed in the Fifty-fourth Year of King George the Third,
 intituled “ An Act to repeal the several Laws for Recovery of
 30 “ small Sums due for Wages in Ireland, and to make other
 “ Provisions for Recovery of such Wages :” 54 G. 3. c. 116.

An Act passed in the Fifty-eighth Year of King George the Third,
 intituled “ An Act to prevent Frauds in the Sale of Grain in
 “ Ireland :” 58 G. 3. c. 82.

35 An Act passed in the Fourth Year of the Reign of King George
 the Fourth, intituled “ An Act to enlarge the Powers of Justices
 “ in determining Complaints between Masters and Servants, and
 “ between Masters, Apprentices, Artificers, and others,” so far
 as relates to Ireland :

40 So much of an Act passed in the Ninth Year of King George the
 Fourth, intituled “ An Act for amending and consolidating the
 “ Laws in Ireland relative to Larceny, and other Offences con-
 “ nected therewith,” as relates to the Jurisdiction of Justices of
 the Peace as to summary Convictions :

529.

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So

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|----------------------------|---|----------|
| <i>General Provisions.</i> | | |
| 9 G. 4. c. 56. | So much of an Act passed in the Ninth Year of King George the Fourth, intituled "An Act for consolidating the Laws in Ireland relative to malicious Injuries to Property," as relates to the Jurisdiction of Justices of the Peace as to summary Convictions: | 5 |
| 10 G. 4. c. 34. | So much of an Act passed in the Tenth Year of King George the Fourth, intituled "An Act for consolidating and amending the Statutes in Ireland relating to Offences against the Person," as relates to the Jurisdiction of Justices of the Peace as to summary Convictions: | 10 |
| 4 & 5 W. 4. c. 50. | An Act passed in the Fourth and Fifth Years of King William the Fourth, intituled "An Act to amend an Act passed in the Forty-ninth Year of the Reign of King George the Third, for amending the Irish Road Acts:" | |
| 6 & 7 W. 4. c. 116. | So much of an Act passed in the Sixth and Seventh Years of the Reign of King William the Fourth, intituled "An Act to consolidate and amend the Laws relating to the Presentment of public Money by Grand Juries in Ireland," as relates to the summary Jurisdiction of Justices as to any of the Offences upon public Roads herein-before mentioned: | 15
20 |
| 7 & 8 Vict. c. 106. | So much of an Act passed in the Seventh and Eighth Years of the Reign of Her Majesty, intituled "An Act to consolidate and amend the Laws for the Regulation of Grand Jury Presentments in the County of Dublin," as relates to the summary Jurisdiction of Justices as to any of the Offences upon public Roads herein-before mentioned: | 25 |
| 11 & 12 Vict. c. 28. | So much of an Act passed in the Eleventh and Twelfth Years of the Reign of Queen Victoria, intituled "An Act to amend the Law of Imprisonment for Debt in Ireland, and to improve the Remedies for the Recovery of Debts and of the Possession of Tenements situate in Cities and Towns in certain Cases," as relates to the Recovery of the Possession of small Tenements: | 30 |
| 11 & 12 Vict. c. 59. | An Act passed in the Eleventh and Twelfth Years of the Reign of Her Majesty, intituled "An Act for the more speedy Trial and Punishment of Juvenile Offenders in Ireland:" | 35 |
| 7 & 8 Vict. c. 8. | An Act passed in the Seventh Year of Her Majesty, intituled "An Act to facilitate the Recovery by summary Process of small Sums due to the Teachers of Schools in Ireland:" | |
| 12 Vict. c. 15. | An Act passed in the Twelfth Year of Her Majesty, intituled "An Act to amend an Act of the Fifty-fourth Year of King George the Third, for the Recovery of small Sums due for Wages in Ireland:" | 40 |
| 12 & 13 Vict. c. 30. | An Act passed in the Twelfth and Thirteenth Years of Her Majesty, intituled "An Act for the better Preservation of Sheep, | |

“ Sheep, and more speedy Detection of Receivers of stolen
 “ Sheep, in Ireland.” *General Provisions.*

LIX. And be it enacted, That this Act shall commence and take effect on the First Day of October in the Year of our Lord One 5 thousand eight hundred and fifty. *CLAUSE X. Act to take effect on the 1st October 1850.*

LX. And be it enacted, That this Act shall extend and be construed to extend to Ireland only, but shall not extend to the Police District of Dublin Metropolis in any Matter relating to Offences or Obstructions upon public Roads. *Act to extend to Ireland only.*

10 LXI. And be it enacted, That this Act may be amended or repealed by any Act to be passed in the present Session of Parliament. *Act may be amended, &c.*

Summary Jurisdiction.

(Ireland.)

A

B I L L

[AS AMENDED BY THE SELECT COMMITTEE]

To consolidate and amend the Acts relating to certain Offences and pecuniary Claims as to which Justices of the Peace exercise a summary Jurisdiction in Ireland.

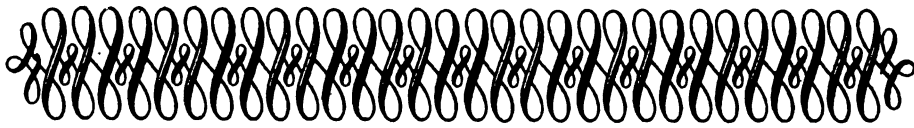
(Prepared and brought in by
Sir William Somerville and Mr. Solicitor General
for Ireland.)

Ordered, by The House of Commons, to be Printed,
9 July 1850.

529.

Under 5 oz.

10 May 1850. 13 VICT.



A

B I L L

TO

Repeal an Exception in an Act of the Twenty-seventh Year of King Henry the Sixth concerning the Days whereon Fairs and Markets ought not to be kept.

WHEREAS by an Act passed in the Twenty-seventh Year Preamble.
of King Henry the Sixth, intituled "Certain Days wherein 27 Hen. 6.
" Fairs and Markets ought not to be kept," it was pro- c. 5.
vided that all Fairs and Markets on certain principal Feasts therein
5 mentioned, and Sundays and Good Friday, should cease as therein
mentioned (the Four Sundays in Harvest excepted): And whereas it is
expedient that the said Exception should be repealed: Be it therefore
enacted by the Queen's most Excellent Majesty, by and with the
Advice and Consent of the Lords Spiritual and Temporal, and
10 Commons, in this present Parliament assembled, and by the Authority
of the same, That the Exception of the Four Sundays in Harvest, Exception of
the Four
Sundays in
Harvest
repealed.
contained in the said Act, shall be repealed, and the said Act shall
be construed as if such Exception were not inserted therein.

Sunday Fairs Prevention.

A

B I L L

To repeal an Exception in an Act of the
Twenty-seventh Year of King Henry
the Sixth, concerning the Days whereon
Fairs and Markets ought not to be
kept.

*(Prepared and brought in by
Sir George Grey and Mr. Cornwall Lewis.)*

*Ordered, by The House of Commons, to be Printed,
10 May 1850.*

329.

Under 1 oz.

Sunday Trading Prevention Bill.

ARRANGEMENT OF CLAUSES.

- Prohibition of Sunday Trading ; Sect. 1.
 - Exceptions ; 2.
 - Exempting Publicans from Operation of the Act ; 3.
 - Prohibiting Barbers from opening Shops and exercising their Calling
after certain Hours ; 4.
 - Saving Servants from the Operation of the Act ; 5.
 - Provision as to cumulative Penalties ; 6.
 - Empowering Seizure of Goods hawked or exposed for Sale ; 7.
 - Proof of previous Conviction ; Punishment for false Certificate of
previous Conviction ; 8.
 - Recovery of Penalties ; 9.
 - Limitation of Proceedings ; 10.
 - Commencement of Act ; 11.
 - Proceedings not to be quashed for Informality ; 12.
 - Construction of Act ; 13.
 - Act may be amended or repealed during present Session ; 14.
-



A

B I L L

INTITULED

An Act to prevent unnecessary Trading on Sunday within the Metropolitan Police District and City of London and Liberties thereof.

WHEREAS the Practice of Sunday Trading is carried on to a great Extent within the Metropolitan Police District, and the City of London and Liberties thereof; and it is expedient that further Provision should be made for restraining and preventing the same: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That if any Person shall on Sunday, within the Metropolitan Police District, or within the City of London or Liberties thereof, sell, vend, hawk, cry, or offer or expose for Sale, or cause to be sold, vended, hawked, cried, or offered or exposed for Sale, any Goods, Chattels, Effects, Matters, or Things whatsoever; or if any Dealer in Meat, Fish, Poultry, Game, or Wild Fowl shall on Sunday after the Hour of Nine of the Clock in the Morning deliver or cause to be delivered any Meat, Fish, Poultry, Game, or Wild Fowl at the Residence of or at any other Place for the Purchaser thereof; every such Person, being convicted thereof before a Justice of the Peace, shall forfeit and pay the Sum of Five Shillings; and

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Preamble.
Prohibition of Sunday Trading.

446.

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and if any Person, having been so convicted, shall afterwards be guilty of any of the Offences before mentioned, and shall be convicted thereof in like Manner, every such Offender shall for such Second Offence forfeit and pay any Sum not exceeding Twenty Shillings nor less than Five Shillings, as to such Justice shall seem 5 meet; and if any Person, having been so twice convicted, shall afterwards be guilty of any of the Offences before mentioned, and shall be thereof convicted in like Manner, every such Offender shall for such subsequent Offence forfeit and pay any Sum not exceeding Forty Shillings nor less than Twenty Shillings, as to such Justice 10 shall seem meet.

Exceptions.

II. Provided always, and be it enacted, That the Provisions of this Act shall not extend or apply —

To any Person selling or vending or offering or exposing for Sale, or causing to be sold or vended or offered or exposed for Sale, 15 any Medicine, Drug, or other Article for Medicinal Purposes :

Nor to any Person selling, vending, hawking, crying, or offering or exposing for Sale, or causing to be sold, vended, hawked, cried, or offered or exposed for Sale, any Milk or Cream before the Hour of Nine of the Clock in the Morning, or after the Hour of 20 One of the Clock in the Afternoon :

Nor to any Person selling or vending or offering or exposing for Sale, or causing to be sold or vended or offered or exposed for Sale, any Fruit or Pastry, or any cooked or prepared Victuals, or any Beverage, not being Wine, Spirits, Beer, or other fermented 25 or distilled Liquors, or any Newspaper or other periodical Paper stamped with the proper Newspaper Stamp, before the Hour of Ten of the Clock in the Morning and after the Hour of One of the Clock in the Afternoon :

Nor to any Person selling or vending or offering or exposing for Sale, 30 or causing to be sold or vended or offered or exposed for Sale, Tobacco after the Hour of One of the Clock in the Afternoon :

Nor to any Person selling or vending or offering or exposing for Sale, or causing to be sold or vended or offered or exposed for Sale, for Human Food, any Meat, Poultry, or Fish before the 35 Hour of Nine of the Clock in the Morning from the Thirty-first Day of May to the First Day of October in every Year :

Nor to any Person selling or vending or offering to sell or vend in his Dwelling House to any Lodger, or to any Person in and on board of any Steam Vessel or other Vessel whatsoever, any 40 ready-dressed Provisions, Liquors, or Refreshments.

Exempting
Publicans
from Opera-

III, And be it enacted, That the Provisions herein-before contained shall not extend or apply to any Licensed Victualler, or the Keeper of

of any Inn, Tavern, Hotel, Public House, or other House licensed for the Sale of excisable, fermented, or distilled Liquors, exercising his ordinary Trade as such Licensed Victualler, or Keeper of such Inn, Tavern, Hotel, Public House, or other licensed House. tion of the Act.

5 IV. And be it enacted, That if any Barber or Hairdresser shall, within the Metropolitan Police District, or the City of London or the Liberties thereof, after the Hour of Ten of the Clock in the Morning on Sunday, open Shop, or do or exercise the Work of his ordinary Calling, every such Person, being convicted thereof before a Justice of the Peace, shall for the First Offence forfeit and pay the Sum of Five Shillings; and if any such Person, having been so convicted, shall afterwards be guilty of the like Offence, and shall be thereof convicted in like Manner, every such Person shall for such Second Offence forfeit and pay any Sum not exceeding Ten Shillings nor less than Five Shillings; and if any such Person, having been so twice convicted, shall afterwards be guilty of the like Offence, and shall be thereof convicted in like Manner, every such Offender shall for such last-mentioned or any subsequent Offence forfeit and pay any Sum not exceeding Twenty Shillings nor less than Ten Shillings: Prohibiting Barbers from opening Shops and exercising their Calling after certain Hours.

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20 Provided always, that any Barber or Hairdresser who shall be so convicted shall not be liable to any further Penalty under this Act for opening Shop or carrying on the Work of his ordinary Calling upon One and the same Day.

V. And be it enacted, That no Person who shall be convicted for the first Time of having offended against any of the Provisions of this Act shall be liable to any Penalty under this Act for any other Offence committed upon the same Day; and no Person shall for any Offences against this Act upon One and the same Day (for which cumulative Penalties may be awarded) be liable to Penalties under this Act amounting in the whole to a larger Sum than Ten Pounds. Provision as to cumulative Penalties.

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VI. And be it enacted, That no Servant who shall act in violation of this Act by or under the Authority or Direction of his Employer (the Proof whereof shall lie upon such Servant) shall be liable to any Penalty under the Act, but in every such Case the Person by or under whose Authority or Direction such Servant shall so have acted shall be deemed to have himself offended against this Act, and be punishable accordingly. Saving Servants from the Operation of the Act.

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VII. And be it enacted, That it shall and may be lawful to and for every Police Constable acting within the Metropolitan Police District, or City of London or Liberties thereof, without Warrant to seize all Goods, Chattels, Effects, Matters, and Things whatsoever which Empowering Seizure of Goods hawked or exposed for Sale.

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which shall or may be hawked, cried, offered or exposed for Sale, in any Market, Highway, public or other Place, or on any open Ground whatsoever apart from the Residence of the Person offending, contrary to the Provisions of this Act, and to convey the same to the nearest Police Station or other convenient Place, and there detain such Goods, 5 Chattels, Effects, Matters, or Things until Application shall be made for the same, by or on behalf of the Owner thereof, to One of Her Majesty's Justices of the Peace, and thereupon such Goods, Chattels, Effects, Matters, or Things so seized shall be restored to such Owner upon such Terms as to such Justice shall seem meet: Provided 10 always, that if such Owner shall be proved to the Satisfaction of such Justice to have been before convicted of any Offence against the Provisions of this Act, or in case such Owner shall make no such Application for the Restoration to him of the Goods, Chattels, Effects, Matters, or Things so seized and detained, before the Hour 15 of Twelve on either of the Three Days next following such Seizure, it shall and may be lawful for such Justice to direct the same or any Part thereof to be sold or disposed of as he shall think fit, and the Proceeds thereof to be applied to the Purpose to which the Penalty by this Act imposed for such hawking, crying, offering or exposing 20 for Sale would be applicable.

Proof of
previous
Conviction.

VIII. And be it enacted, That in all Cases in which it shall be necessary to prove any previous Conviction against any Person under this Act, a Certificate containing the Substance and Effect only (omitting the formal Part) of the Record of the Conviction of the 25 previous Offence, purporting to be signed by the proper Officer having the Custody of such Record of Conviction, or a Certificate of such previous Conviction purporting to be signed by the Person who shall have acted as Clerk to the Justice before whom such previous Conviction shall have taken place, shall, upon Proof 30 of the Identity of the Person of the Offender, be sufficient Evidence of the previous Conviction, without Proof of the Signature or official Character of the Person appearing to have signed the same; and if any Person whatsoever shall wilfully and knowingly utter a false Certificate of a Conviction for a previous Offence against this Act, or 35 if any Person other than such proper Officer or Person acting as such Clerk shall sign such Certificate as such proper Officer or Person acting as Clerk, every Person so offending shall be guilty of a Misdemeanor, and being convicted thereof shall be liable to Imprisonment, with or without hard Labour, for any Period not exceeding Two Years. 40

Uttering a
false Certifi-
cate of pre-
vious Con-
viction a
Misdemeanor.

Recovery of
Penalties.

IX. And be it enacted, That it shall and may be lawful for all Police Constables acting within the Metropolitan Police District, or the City of London and Liberties thereof, and they are hereby required, to enforce the Provisions of this Act; and that

that all Penalties and Sums of Money imposed or ordered to be paid under the Authority of this Act shall, for Offences committed within the Metropolitan Police District, be adjudged to be paid to and shall be recoverable by the Receiver of the Metropolitan Police
 5 District, and that all Penalties and Sums of Money imposed or ordered to be paid under the Authority of this Act shall, for Offences committed within the City of London, be adjudged to be paid to and shall be recoverable by the Chamberlain of the City of London, for the Use of the Lord Mayor, Commonalty, and Citizens of that City;
 10 and in case any such Penalty or Sum of Money, together with such Costs as may be awarded, shall not be paid, then it shall be lawful for any Justice of the Peace acting within the Metropolitan Police District, or City of London or Liberties thereof, by Warrant under his Hand, to commit the Party making such Default to some
 15 Common Gaol or House of Correction within his Jurisdiction, there to remain for any Time not exceeding Fourteen Days.

X. And be it enacted, That all Prosecutions for Offences punishable by this Act shall be commenced within Seven Days next after the Commission of the Offence and not afterwards. Limitation of Proceedings.

20 XI. And be it enacted, That this Act shall take effect and come into operation on the First Day of November next after the passing thereof. Commencement of Act.

XII. And be it enacted, That no Information, Conviction, or other Proceeding had or taken under the Provisions of this Act shall be
 25 quashed or set aside or adjudged void or insufficient for Want of Form, or be removed by Certiorari into Her Majesty's Court of Queen's Bench. Proceedings not to be quashed for Informality.

XIII. And be it enacted, That in the Construction of this Act, unless there be anything in the Context repugnant thereto, any Word
 30 denoting the Singular Number or the Male Sex shall be taken to extend to and signify any Number of Persons or Things, and to both Sexes. Construction of Act.

XIV. And be it enacted, That this Act may be amended or repealed by any Act to be passed in the present Session of Parliament. Act may be amended, &c.
 35 ment.

Sunday Trading Prevention.

A

B I L L

INTITULED

An Act to prevent unnecessary Trading
on Sunday within the Metropolitan
Police District and City of London
and Liberties thereof.

(*Brought from the Lords 7 June 1850.*)

*Ordered, by The House of Commons, to be Printed,
13 June 1850.*

446.

Under 1 oz.

Technical Objections restraining Bill.

ARRANGEMENT OF CLAUSES.

Judgment not to be arrested except upon Payment by Defendant of Costs of Trial ; Sect. 1.

No Judgment non obstante veredicto except upon Payment by Plaintiff of Costs of Trial ; 2.

Misjoinder or Variance on Record not to be Ground for Arrest or Reversal of Judgment ; 3.

Upon Delivery of Special Demurrer Amendment may be made without Payment of Costs ; Proviso ; 4.

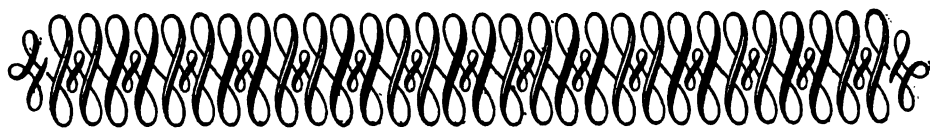
On Joinder in Demurrer Judgment of the Court final upon Matters only objectionable upon Special Demurrer ; 5.

Power to deny material Facts in Replication, Rejoinder, or subsequent Pleading ; 6.

What may be pleaded to a Plea of Set-off or mutual Credit ; 7.

Writs of Summons in an Action of Tort to be issued in lieu of Summons of Trespass or Trespass on the Case ; 8.

11 April 1850. 13 Vict.



A

B I L L

TO

Restrain technical Objections in the Superior Courts of Law at Westminster.

WHEREAS it is expedient that Alterations should be made Preamble.
in divers Matters of Form and Practice, and in the Mode
of Pleading, in Actions prosecuted in the Superior Courts
at Westminster: Be it enacted by the Queen's most Excellent Ma-
5 jesty, by and with the Advice and Consent of the Lords Spiritual
and Temporal, and Commons, in this present Parliament assembled,
and by the Authority of the same,

I. That no Judgment shall be arrested after Trial, except upon Arrest of Judgment.
Payment by the Defendant of the Costs of the Trial.

10 II. That no Judgment non obstante veredicto shall be entered, Judgment non obstante.
except upon Payment by the Plaintiff of the Costs of the Trial.

III. That no Judgment shall be arrested or reversed by reason of Misjoinder, and Variance on Record.
Misjoinder of Causes of Action, or of a Variance between the Writ
and the Count.

218.

IV. That

Special Demurrers.

IV. That upon the Delivery of any Special Demurrer the Party whose Pleading is demurred to shall be at liberty to amend, without Payment of Costs (and shall have the same Time to amend that he had to plead); provided that a Judge upon Summons may (if he thinks fit) order Costs to be paid upon Amendment. 5

No Writ of Error for Matter of Form.

V. That on Joinder in Demurrer, the Judgment of the Court in which the Action is brought shall be final upon all Matters objectionable only upon Special Demurrer.

Power to deny material Facts.

VI. That in every Replication, Rejoinder, or subsequent Pleading, it shall be allowable to the Plaintiff or Defendant respectively to deny 10 all or any of the material Facts in the Plea, Replication, or other Pleading respectively of the other Party, either by separate Replications, Rejoinders, or other Pleading, or by a general Denial of the Truth of the material Facts in the Plea, Replication, Rejoinder, or other Pleading. 15

Set-off.

VII. That several Replications may be pleaded to a Plea of Set-off or mutual Credit.

Case and Trespass.

VIII. That no Writ of Summons in an Action of Trespass, or Trespass on the Case, shall hereafter be issued, but that, in lieu of such Writs, Writs of Summons in an Action of Tort shall be issued; 20 and any Cause of Action which might heretofore be prosecuted in Trespass, or Trespass on the Case, may be prosecuted upon such Writ of Summons in an Action of Tort; and Causes of Action, whether sounding in Trespass, or Trespass on the Case, according to the Law existing at the Time of the passing of this Act, may be 25 prosecuted under one and the same Writ; provided that nothing herein contained shall alter or apply to the Form of Writ in an Action on Promises.

Technical Objections restraining.

A

B I L L

To restrain technical Objections in the
Superior Courts of Law at West-
minster.

(Prepared and brought in by
Mr. Attorney General and Mr. Cornwall Lewis);

Ordered, by The House of Commons, to be Printed,
11 April 1850.

218.

Under 1 oz.

10 June 1850. 13 VICT.



(Ireland.)

A

B I L L

TO

Provide for the better securing and regulating the Custom of "Tenant Right" as practised in the Province of Ulster, and to secure Compensation to improving Tenants in Ireland who may not make Claim under the said Custom, and to limit the Power of Eviction in certain Cases.

[Note.—The Words printed in *Italics* are proposed to be inserted in the Committee.]

WHEREAS it has long been the Practice in Ireland that Lands are let to the Tenants occupying the same on determinable Tenures, or at Will, or from Year to Year, without any Lease or written Agreement, and without any suitable Buildings or other necessary Appendages for residing on and cultivating such Lands, or any Allowance given or engaged to be given in consideration thereof, or in consideration of any Expenditure necessary or proper to be incurred for draining or otherwise permanently improving the Soil: And whereas the occupying Tenants under such Circumstances have just Cause of Complaint, from their Liability to Dispossession without any Security for due Compensation for the Value of their beneficial Interest created by their Capital and Labour

431. A expended

Preamble :

Recites the System of letting Lands in Ireland, the Tenant making all Improvements :

Recites the Custom of Tenant Right in Ulster as a Security to the Tenant for Labour and Capital expended :

Points of the Custom stated :

Recites that valuable Improvements and repeated Sales of Tenant Property have been made under this Custom, and Landlords Rents have been increased :

The Rights of Tenants under the Custom rendered insecure by excessive Rents and arbitrary Eviction.

All Buildings and Improvements producing increased Value declared to be the Tenant's Property.

No Tenant to be evicted without being paid for his Tenant Right, where the Custom exists, or else the Value of Improvements, &c.

expended on the Premises : And whereas it appears, that, as a Remedy for the aforesaid Causes of Complaint, and as a Security for the Value of Labour and Capital expended on Occupancies let as aforesaid, a Custom known by the Name of "Tenant Right" has been established in the Province of Ulster, and more particularly in those Parts called 5 the Ulster Plantation, and has extended from thence to other Parts of Ireland, according to which Custom a Right of continued Occupation is enjoyed by the Tenant in possession, subject to the Payment of the Rent to which such Premises are liable, or such Change of Rent as shall be afterwards settled from Time to Time by fair Valuation, 10 with a Right to sell his Occupation to any solvent Tenant to whom the Landlord shall not make reasonable Objection, and that such Tenant shall not be evicted by the Landlord without being permitted to sell his Interest, or else being paid by the Landlord the Value thereof as if sold to a solvent Tenant : And whereas, on the Faith of 15 this Custom, in Districts wherein it has been established, valuable Improvements have been made, and repeated Sales of Property have taken place, and the present Occupiers are now generally in possession by the Purchase of former Tenants Interests in the Premises ; and in accordance with the said Custom increased Rents have been 20 assessed on and paid by Tenants in consequence of the increased productive Power and letting Value of Lands created by the improved Culture of the Soil under the said Custom : And whereas by the Demand and Enforcement of excessive Rents through the Means of an unrestrained Power of Eviction, Tenants may be deprived of their 25 just Rights under the said Custom, and of the Enjoyment of the Fruits of their Labour and Capital, or of any adequate Compensation for the same ; and it is expedient to give a more effectual Protection to such Tenants, and to encourage the Improvement of the Soil by the occupying Tenants, in every Part of Ireland : 30 Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all Improvements of the Soil, and all Buildings and all Works of every Description, by means of which 35 the annual letting Value or Fee Simple Interest of the Premises shall be or shall have been increased, and which shall be or shall have been made at the Cost or by the Labour of the Tenant, or purchased or inherited by him from his Predecessor, shall be taken to be the Property of such Tenant ; and that from and after the *passing* 40 *of this Act* no Person in Occupation of Lands or Premises, being Tenant thereon as in this Act herein-after defined and qualified, and paying a Rent such as shall be agreed upon between the Parties or determined as in this Act provided, shall be evicted therefrom unless he shall have first received from his Landlord or from 45 the

the in-coming Tenant, by Sale or Agreement, the marketable Value of his Interest, according to the Tenant-right Custom, where such Custom is proved to exist, or, in Cases where such Custom may not be practised, or the Tenant shall not make Claim under the said
 5 Custom, the fair Value of all Labour and Capital expended in Improvements of the Nature herein-before stated, and which are by this Act declared to be the Property of the Tenant: Provided always, that no Landlord shall be liable or required to make any Payment on the Grounds of Tenant Right or Improvements, if such Landlord
 10 shall continue the Tenant (or any solvent Person to whom such Tenant may desire to sell or assign his Interest) in the Occupation of the Premises at such annual Rent as shall be agreed upon between the Parties, or shall be determined by any Award made under the Provisions of this Act.

Proviso: Landlord not liable to pay Tenant Right or Compensation if he continues the Tenant at the Rent agreed on, or awarded under the Provisions of this Act.

15 II. And be it enacted, That in the Construction of this Act the Word "Tenant" shall be understood to mean a Person or Party in the actual Occupation of Land let for the Purposes of Agriculture, and all Buildings thereon or held therewith, with their Appurtenances, but which shall not have been let in or for Conacre,
 20 or for the Purpose of cropping or depasturing for One or Two Seasons only, or for any special or temporary Purpose, but shall be held by such Person or Party as Tenant at Will, or from Year to Year, or for a Term of Years absolute or determinable on the dropping of a Life or Lives, or for a Life or Lives with or without a Term of Years, and
 25 shall not be let for building, or let by the Foot or other lineal Measurement, calculated on the Extent of Frontage to any Road or Street, or let by Measurement, or under any Provisions denoting that such letting was intended for the sole Purposes of building, and shall include the personal Representatives of a Tenant within this Act; and
 30 the Word "Landlord" shall be understood to mean the Person or Party entitled to the immediate Possession of the Lands or Premises on the Determination of the Interest of the Tenant, and the legal Representatives of such Person or Party for the Time being, and shall include Bodies Corporate, Companies and Partnerships; and the Word
 35 "Improvement" shall be taken to mean all Buildings erected, and all Works done, which would permanently increase the Value or annual Rent of the Premises; and every Word importing the Singular Number only shall extend and be applied to several Persons or Things as well as one Person or Thing; and every Word importing the Plural
 40 Number shall extend and be applied to one Person or Thing as well as several Persons or Things; and every Word importing the Masculine Gender only shall extend and be applied to a Female as well as a Male; and the Word "Award" shall be taken to mean any Decision by Arbitrators, or any Judgment, Decree, or Verdict, given
 431. under

*Definition of Terms.
 "Tenant:"*

"Landlord:"

"Improvement:"

Singular Number:

Plural Number:

Masculine Gender:

"Award:"

"Adjudicating
Tribunal:"

"Serve" and "Ser-
vice:"

"Fair Rent."

"Solvent Tenant:"

under the Provisions of this Act; and the Words "adjudicating Tribunal" shall comprehend Arbitrators, Assistant Barrister, Judge of Assize, or Jury, as the Case may be; and the Word "serve" shall be construed to mean either personal Service, or Services on the Attorney, Agent, Bailiff, Steward, or Receiver of the Person or Party to be served, or Service by Delivery at the Place of Abode of such Person or Party, or Service by Transmission through the Post, directed to the last known Address of the Person or Party to be served, within such Time as to admit of its Delivery within the Period prescribed (if any) for the Delivery of the Notice; and in proving any Notice by the Post it shall be sufficient to prove that the Notice was properly directed, and so put into the Office as before required; and the Words "fair Rent" shall be taken to mean the Landlord's just Proportion of the Money Value of the gross Produce (according to the Market Price of such Produce) which the Lands in the Occupation of the Tenant, according to their Quality and Circumstances, are capable of yielding under a fair System of Improvement and Culture, after Allowance has been made for all Labour and the Interest of all Capital expended by the Tenant in cultivating, improving, and maintaining the Condition of the Premises, and for all Taxes, Rates, and public Assessments of any kind charged on such Premises, and payable by the Tenant; and the Words "solvent Tenant" shall be taken to mean a Tenant having the Capability to apply the Amount of Labour and Capital reasonably to be required for the proper Cultivation and Improvement of the Holding in his Occupation, according to the Extent of such Holding, and to pay the fair Rent to the Landlord for the same.

All Tenants qualified to claim under this Act holding Occupations whereon the necessary Buildings and other Works for the Use of the Farm have been wholly or in greater Part made by Tenant, or whereon any Improvements have been so made, which increase the Value of the Premises.

III. And be it enacted, That all Tenants as herein-before defined shall be entitled to claim the Benefits of this Act, who are in the Occupation of Premises whereon the Buildings necessary for the Residence of the Tenant and for the Uses of the Farm have been erected wholly or in the substantial Part by the Tenant or his Predecessors in the Tenancy, and whereon the Works necessary for the proper Cultivation of the Soil have been also done wholly or in the substantial Part by the Tenant or his Predecessors, and whereon any Improvements have been made at the Cost of the Tenant, by means of which a greater Power of Production has been created, and the Tenement has been made thereby capable of yielding a greater annual Rent than it would have yielded if such Buildings and Improvements had not been made.

Tenant being served with Notice to quit, or Notice of Ejectment, or Notice of increased Rent, or Tenant claiming a reduced Rent,

IV. And be it enacted, That if any Tenant, qualified as herein required, who shall desire to claim the Benefit of this Act shall be served with a Notice to quit, or with a Declaration in Ejectment, or a Demand of an increased Rent, or if any Tenant so qualified, holding

- ing at Will or from Year to Year, shall serve Notice of Surrender, with a Demand for a reduced Rent, such Tenant shall, within *Ten* Days after each respectively, serve on such Landlord a Notice of the Claim, which Notice shall be in Writing, and shall state the
- 5 Amount demanded by such Tenant, and shall also contain a Proposal stating the Rent at which such Tenant would be willing to continue as Tenant on the Premises, also an Offer on the Part of the Tenant to refer the Matter of his Claim to Arbitration; and such Notice shall contain the Name of an Arbitrator to act in the Matter of such
- 10 Arbitration; and in case the Claim of the Tenant shall not be adjusted by Agreement between the Parties, such Landlord shall, within *Ten* Days after the Delivery of such Notice, serve upon such Tenant a Notice containing the Name of an Arbitrator to act in the Matter of such Arbitration; and it shall be lawful for the said Two Arbitrators
- 15 so appointed by the Landlord and the Tenant to appoint a Third Arbitrator, and the said Matter in dispute shall be referred to the Three Arbitrators appointed as aforesaid; and the aforesaid Arbitrators, or any Two of them, shall and are hereby authorized and empowered, by such Means as they shall think proper, to settle the
- 20 Amount of Compensation, and all such other Matters as shall be referred to them on the Part of the Landlord or the Tenant under the Provisions of this Act, and to make their Award thereon in Writing under their Hands and Seals, or under the Hands and Seals of any Two of them; and such Arbitrators shall, within
- 25 *Three* Days after making such Award, forward to each of the Parties a Copy thereof; and the Expenses of such Arbitration shall be paid by such Party or Parties or in such Proportions as the said Arbitrators shall direct; and in case an Award shall be given in favour of the Tenant, it shall not be lawful for the Landlord
- 30 to require a Surrender of the Premises, or to evict the Tenant therefrom, till the Amount so awarded shall be paid or offered to be paid to the Tenant, or Settlement be otherwise made according to the Provisions of this Act.
- shall serve on his Landlord a Notice of his Claim, and shall offer an Arbitration, and name an Arbitrator.
- If Claim be not adjusted the Landlord to name an Arbitrator.
- The Two Arbitrators to appoint a Third Arbitrator:
- Shall make their Award in Writing, and forward Copies to each of the Parties.

- V. And be it enacted, That in case an Arbitrator shall not be
- 35 appointed by the Landlord, or in case the Two Arbitrators, if appointed, shall not agree in their Award, or shall not agree about the Appointment of an Umpire, or if from any other Cause an Award shall not be made, and that the Tenant's Claims shall not be acceded to or adjusted by Agreement between the Parties, within *One Month* from
- 40 the Time when the Notice of Claim and Arbitration had been served on the Landlord by the Tenant, it shall then be lawful for the Tenant, if the Amount of the Claim shall not exceed One hundred Pounds, to refer the Decision of such Claim to the Assistant Barrister at the
- If an Arbitration be not agreed to, or if no Award, Tenant may refer his Claim to Barrister at Quarter Sessions with respect to Claims not exceeding 100*l*.

Quarter Sessions which shall be held next after the Occurrence of any Event as aforesaid for the Division of the County wherein such Land or Premises shall be wholly or in greater Part situate, provided the same shall not be held sooner than *Thirty-one* Days, and if there shall not be *Thirty-one* Days between the Occurrence of such Event 5 as aforesaid and the Day appointed for holding such Sessions, then such Reference may be heard at the Second Quarter Sessions which shall be holden for each Division of such County after such Event as aforesaid ; and the Assistant Barrister, at such First or Second Quarter Sessions, or any Adjournment thereof, upon due Proof that Notice of 10 such Reference has been served on such Landlord at least *Twenty-one* Days before the Day appointed for holding such Sessions, is hereby empowered and required to hear and finally determine the Matter of such Claim: Provided always, that it shall be lawful for either of the Parties concerned to require that the same be referred by 15 the Assistant Barrister to a Jury, and in case he shall be so required he shall cause a Jury of Twelve Men to be impannelled ; and the said Jury shall be constituted from the first Twelve Men not set aside by Challenge who shall answer on their Names being called from the List of Jurors summoned to be in Attendance at such Court of 20 Quarter Sessions ; and all Parties concerned shall have their lawful Challenges against any of the Jurors ; and the Decree of the said Barrister, or the Award of the Jury, as the Case may be, shall be final in the Matter of such Claim ; and the Costs shall be paid by such Party or Parties, or in such Proportions, as the Assistant Barrister, or 25 the Jury in case of Reference to a Jury, shall direct ; and all Awards, Judgments, Decrees, or Verdicts made or given with respect to any Claim aforesaid shall be transmitted to and kept by the Clerk of the Peace among the Records of the County wherein the Decree has been made.

30

Proviso : Either Party may require a Reference to a Jury.

All Awards and Judgments to be registered with the Clerk of the Peace.

In case of Claims exceeding 100*l.* Reference to be made to the Judge of Assize instead of the Assistant Barrister, subject to the same Rules for Reference as before provided.

VI. And be it enacted, That if the Amount of the Claim made by the Tenant shall exceed *One hundred Pounds*, the Reference as herein-before provided to be made to the Assistant Barrister in Cases where Awards by Arbitrators shall not be obtained shall, instead thereof, be made to the Judge presiding in the Record Court at the 35 next Assizes (or some subsequent Assizes, as the Case may be,) for the County in which the Premises or the greater Part thereof shall be situate, subject to all the same Rules and Provisions with regard to such Reference as those herein-before made for regulating the Reference to the Assistant Barrister respecting Sums of a smaller 40 Amount ; and the said Judge shall decide on all the Matters so referred to him ; provided always, that, if required by either of the Parties, he shall refer the Decision of such Claim to a Jury, which Jury

Jury shall be constituted in like Manner and Form as usually practised with regard to Trials in the said Record Court; and the Decision so made shall be final and conclusive in the Matter; and the Costs shall be paid by such Party or Parties, or in such Proportions, as the Judge (or the Jury, in case of Reference to a Jury,) shall direct.

- VII. And be it enacted, That the Arbitrators or other adjudicating Tribunal shall determine the Amount to be awarded on the Claim of the Tenant, according to the Evidence which shall be brought before
- 10 them of the Value of the Tenant's Interest in the Premises; and if the Claim arises in Districts where the Custom of Tenant Right shall be practised, and the Tenant shall make Claim under the said Custom, they shall inquire into the Amount which a solvent Tenant would give for such Interest when brought to Sale according to the
- 15 Practice of the said Custom in the District; and where the Custom of such Sale may not be practised, or the Tenant shall not make Claim under such Custom, they shall inquire into all Works of Improvement executed by the Tenant, or those from whom he derived, whether in the Form of Buildings or Works, to increase the productive Power of
- 20 the Soil, and to what Extent the said Buildings or Works had increased the Value of the Premises; and they shall allow to the Tenant the Value of all such Buildings or Works, on a reasonable Computation of the Amount expended in their Execution, and of the increased Value thereby created, as measured by the higher Rent
- 25 which the Premises might be expected to yield with the Tenant's Improvements than if such Improvements had not been made; and in all Cases they shall specify in their Decision what they shall deem to be the fair Rent of the Premises, according to the Definition of "fair Rent" herein-before given in this Act, and stating in their
- 30 Award the Prices of Produce on which their Estimate of Rent was founded; and they may, if they shall so think fit, adopt any Valuation of the Premises now made or which shall hereafter be made by public Authority, making such Corrections thereof as they shall deem right; and if it shall be proved to the Arbitrators that the Value of
- 35 the Premises has been deteriorated by Neglect, or Mismanagement, or bad Cultivation, or any Proceeding on the Part of the Tenant injurious to the Interests of the Landlord, they shall make such Allowance for the same as they think just, and they shall deduct from the Amount of their Award (if such shall be given in favour of the
- 40 Tenant) all Rent due to the Landlord, and a fair Allowance for any Expenditure (if there shall be any such) on the Part of the Landlord in the Improvement of the Premises, or for any Allowance by means of Adjustment or Remission of Rent (if any such had been made) in consideration of Improvements made or agreed
- 431.
- to
- Rules for Awards.*
- To be made according to the Custom of Tenant Right, where such Custom exists.
- In other Cases an equitable Valuation to be made, and Compensation awarded according to the increased Value created.
- In all Awards the Arbitrators shall specify the fair Rent of the Premises, and the Prices of Produce on which such Rent was computed:
- May adopt the Value as ascertained by any public Valuation corrected as may be deemed fitting; and shall make Allowance from all Awards of Compensation, if necessary, for Waste or Deterioration produced by Neglect or Fault of the Tenant.

Tenant must prove the Custom and the Market Value.

The Estimate of the Value of the Tenant Right to be based on the estimated fair Rent of the Premises.

If Landlord supplies necessary Buildings, and executes necessary Improvements, in such Cases Claims under the Custom of Tenant Right not admissible ;

but Tenant may be allowed Compensation for any useful Improvements made by himself.

If the Landlord offers to continue the Tenant at the Rent awarded he shall not be required to pay Compensation.

The Award, being registered, to be valid as a Record of Tenant's Claims in any future Settlement.

All Tenancies under any Award of Tenant Right to be a letting for Years, in other Cases for Years, subject to Revaluation of Rent at certain Intervals, according to Prices.

to be made by the Tenant ; and in all Cases of disputed Claims under the Custom of Tenant Right it shall be requisite for the Tenant to prove that the Custom had been usually practised in the District in which the Premises might be situate, and also the Value usually given in Cases of the Sale of such Interests ; and the adjudicating Tribunal to whom the Claim may be referred shall base their Estimate of Value on the annual Rent which they shall determine as being the fair Rent for the Premises ; and they shall in all Cases make their Decisions according to what they shall, to the best of their Judgment, deem to be just and equitable between the Parties : Provided always, that if it shall appear in any Case that the Landlord had at his own Cost erected the Housing or the substantial Part thereof reasonably necessary for the Uses of the Farm, and had kept the same in repair, and made the permanent Improvements reasonably necessary for the good Culture of the Soil, or else allowed the Tenant the Cost of all such Buildings and Works of Improvement, in such Case any Claim of Compensation founded on the Right of Sale under the Custom of Tenant Right shall not be awarded ; but the Tenant shall be allowed fair Compensation for all useful Improvements made at his Cost on the Premises, and for all unexhausted Applications to the Soil necessary under a System of good and clean Husbandry.

VIII. And be it enacted, That in all Cases of disputed Claims to be adjudged under this Act, and in which Decisions shall have been made by any authorized Tribunal, if the Landlord shall offer to continue the Tenant in the Occupancy at the Rent declared to be the fair Rent by any such Decision, and if such Landlord shall not refuse to permit the Tenant to sell his Interest at the Market Value to a solvent Tenant, if such Tenant shall require to do so, such Landlord shall not be required to pay the Compensation which may be adjudged to be due to the Tenant in the event of his being evicted ; but such Decision, being placed among the Records of the County as before provided by this Act, shall remain valid as a Register of the Tenant's proved Claims, and if any Cause for a new Adjudication shall at any future Time arise between the Parties it shall stand in the Tenant's Favour, with such Additions or Deductions as shall seem just to the adjudicating Tribunal : Provided always, that a Tenancy constituted under any Award or Decision as above mentioned, if founded on an Award affirming a Claim of a Tenant-right Interest, shall be binding on both Parties as a letting for Years, and in all other Cases for Years, subject to a Re-adjustment of Rent at Intervals not exceeding Years, according to a Revaluation to be founded on the average Prices of Produce as compared with the Prices mentioned in the Award, to be ascertained

tained in such Manner as Parliament shall hereafter direct : Provided also, that nothing herein contained shall be construed to prevent a Landlord from serving Notice of Ejectment and evicting the Tenant, if Rent, as settled by the Award, to the Amount of One Year's Payment, shall be unpaid by the Tenant.

Proviso : Not to stop Ejectment for Non-payment of Rent.

IX. And be it enacted, That if any Landlord against whom such Claim of Compensation shall be made as aforesaid shall proceed by any Process of Law against the Tenant making such Claim for the Purpose of recovering the Possession of the Premises in respect whereof such Claim shall have been made, it shall be lawful for such Tenant to prove, by Evidence at the Trial of such Ejectment, that such Claim has been made on his Part in conformity with the Provisions of this Act, and either that Compensation has been awarded to him, which Compensation has not been paid or tendered to be paid by said Landlord, or that Proceedings were still pending for determining the Amount of Compensation due to the Claimant, and that no unnecessary Delay had taken place on the Part of such Claimant for the Purpose of having his Claim determined; and on Proof thereof, unless the Amount of the Award (if an Award has been made) be forthwith paid to the Tenant or lodged in Court, or the Claim of the Tenant be otherwise settled for, or sufficient Security be given to the Court before Possession be given to the Landlord for the due Payment of any Sum which shall be awarded or decreed to be the Amount of the Tenant's Claim, such Tenant shall be entitled to a Judgment or Decree in his Favour in the Matter of such Ejectment.

If Landlord proceed against Tenant to eject him, Tenant may plead in Court that his Claim has not been adjudged or settled for, and that Proceedings were pending for that Purpose, or that Award had been made and his Claim was not paid; the Court shall give Judgment in favour of the Tenant in such Cases, unless the Amount of the Award be paid forthwith to the Tenant or lodged in Court, or sufficient Security given that the Amount of any Decree or Award shall be paid.

X. And whereas for a Series of Years past Agreements have been made and Leases executed on the assumed Cases that the Prices of Produce would be sustained at certain regular high Rates by means of protecting Duties : And whereas the said Duties have been repealed by an Act of the Tenth Year of the Reign of Her present Majesty, intituled " An Act to amend the Laws relating to the Importation of " Foreign Corn : " And whereas the Prices of Produce have fallen, and the Averages may be expected to continue lower than the assumed Rates under which Agreements as aforesaid were arranged, and it is therefore right that Provision should be made for an equitable Re-adjustment of the Terms of such Agreements : Be it therefore enacted, That any Tenant as defined and qualified under this Act, holding by Lease or written Agreement made since the Year One thousand eight hundred and but before the passing of the aforesaid recited Act, may claim from his Landlord a Re-adjustment of Rent, and in case a Settlement shall not be made such Tenant may give Notice of Surrender, (which Notice shall be served not less than

Preamble recites the letting of Lands under protective Duties, and that therefore a Re-adjustment of Rents is required in certain Cases.

Tenants under Lease made previous to the Act of the 9th & 10th Vict. c. 22. (Repeal of the Corn Laws), and since the Year 18, may serve Notice of Surrender on the Ground of Rent too high, and claim Compensation for Improve-

ments by Arbitration, or Settlement of Rent by Arbitration.

If Landlord refuse the Rent offered by the Tenant, or the Rent settled by the Arbitrators, the Tenant shall be entitled to surrender, and claim the Compensation awarded.

The Landlord not entitled to levy Rent accruing after Notice of Surrender until Settlement be made with Tenant.

If an Award of Rent be made by Arbitrators, and Tenant refuses to hold the Premises at the Rent awarded, such Tenant not entitled to Compensation.

Proviso: Any Claim under this Provision to be made on or before the 1st of May 1851.

Tenant, if refused Liberty to sell to a solvent Tenant, may give Notice of Surrender, and claim Compensation or Value for Tenant Right.

Proviso: Landlord not to be required to sanction an Offer of Purchase for a Part of any Occupancy let to a single Tenant.

Proviso: The Landlord may plead that the Person proposed as Purchaser would not be a solvent Tenant.

than *Six Months* before the Time of such Surrender,) and may claim Compensation for his Outlay in Improvements, or for his Tenant Right, as the Case may be; and such Tenant shall serve a Notice containing an Offer of the Rent at which such Tenant would be willing to continue to hold the Premises, and all Particulars herein- 5 before required in other Cases of Claims made by the Tenant, and also the Name of an Arbitrator; and if the Landlord shall not accept the Tenant at his own Offer of Rent, or at the Rent decided by the Arbitrators, the Tenant shall be entitled to the Compensation which shall be awarded on his making Surrender of the Premises; and it 10 shall not be lawful for the Landlord to make use of any Process of Law to recover any Rent which should become due after the Notice of Surrender had been served until a Settlement should be made of the Tenant's Claims; but if the Tenant should refuse to continue Tenant on the Premises at the Rent determined by the Arbitrators, 15 or shall not pay the Rent so determined, and be ejected for such Nonpayment, such Tenant shall not be entitled to any Compensation, but such Tenant shall be at liberty to sell his Interest at such Rent to any solvent Tenant as next herein-after enacted: Provided always, that if any Tenant holding by Lease or written Agreement as herein- 20 before stated shall desire to avail himself of the Powers conferred by this Act for a Re-adjustment of Rent in such Cases, such Tenant must serve Notice of his Desire to surrender, and of his Claim for Compensation, on or before the *First Day of May One thousand eight hundred and fifty-one.* 25

XI. And be it enacted, That in case any Tenant as defined and qualified under this Act, or holding under any Award as in this Act before provided, shall desire to sell his Interest in the Premises, and shall offer a Person as Purchaser who shall not be liable to reasonable Objection on the Part of the Landlord with reference to his not 30 being a "solvent Tenant" as herein-before defined, and such Landlord shall refuse Permission to the Tenant to make such Sale, then in such Case it shall be lawful for such Tenant (if he so thinks fit) to serve Notice of Surrender in like Manner and under like Regulations (save and except the Offer of Rent at which the Tenant would 35 continue to hold the Premises) as herein-before directed; and such Tenant shall be entitled to receive the Value of his Tenant Right, or Compensation otherwise, as in this Act before enacted: Provided always, that no Landlord shall be required to agree to any Offer of Sale or Purchase which would cause any Sub-division of the Premises 40 contained in the Occupancy, and let by such Landlord to a single Tenant; and provided also, that it shall be lawful for any Landlord to take Defence against any Claim made as above, on the Grounds that the Person offered as Purchaser could not be considered as being a "solvent

a "solvent Tenant;" and in case the Landlord shall give Evidence thereof to the Satisfaction of the Arbitrators or other adjudicating Tribunal, the Claim of the Tenant shall not be allowed.

XII. And be it enacted, That if any Tenant shall have erected
5 Buildings on the Premises in his Occupation, and shall not make
Claim for Compensation for the same, or for the Value of the Tenant
Right of such Occupancy, or if such Tenant shall have made Claim,
and Compensation shall be refused by the Landlord, or by the Award
of any Arbitrators, or by the Decision of any Court or Jury, on the
10 Grounds of the Buildings not being suitable to the Premises, or for
any other Cause, it shall be lawful for the Tenant to pull down and
sell or carry away the Materials of such Buildings, and such Tenant
shall not be liable to any Penalties or Action for Waste or Dilapida-
tion for his so doing; provided he leaves the Premises in the same
15 Condition as before the Erection of such Buildings.

Tenant may pull down, sell, and carry away the Materials of Buildings erected by himself, if not paid for, or Allowance made by the Landlord or by the Award of the Arbitrators.

XIII. And be it enacted, That this Act shall extend only to
Ireland. Act for Ireland.

XIV. And be it enacted, That this Act may be amended or
repealed by any Act to be passed during the present Session of
20 Parliament. May be altered or repealed.

Tenant Right.

(Ireland.)

A

B I L L

To provide for the better securing and regulating the Custom of "Tenant Right" as practised in the Province of Ulster, and to secure Compensation to improving Tenants in Ireland who may not make Claim under the said Custom, and to limit the Power of Eviction in certain Cases.

*(Prepared and brought in by
Mr. Sharnan Crossford, Mr. Anstey, and
Mr. O'Flaherty.)*

*Ordered, by The House of Commons, to be Printed,
10 June 1850.*

431.

Under 2 oz.

11 February 1850. 13 VICT.



A

B I L L

TO

Relieve Occupiers of Lands or Tenements at
Rack Rent from a Portion of the Rate levied for
erecting and providing County Lunatic Asylums.

[Note.—The Words printed in *Italics* are proposed to be inserted
in the Committee.]

WHEREAS by an Act passed in the Ninth Year of the
Reign of His late Majesty George the Fourth, intituled
“An Act to amend the Laws for the Erection and Preamble.
“Regulation of Lunatic Asylums, and more effectually to provide
5 “for the Care and Maintenance of Pauper and Criminal Lunatics, 9 G. 4. c. 11.
“in England,” it was enacted, that in order to defray the necessary
Expenses for the Execution of the said Act the Justices of the
Peace in each County at their General or Quarter Sessions might
and should assess and tax a special County Rate on all Places liable
10 to contribute to the County Rate; and it was further by the same
Act enacted, that it should be lawful for the said Justices at their
General or Quarter Sessions, if they should unanimously agree so
to do, to direct that every Tenant at Rack Rent paying such Rent
aforesaid might deduct and detain out of the Rent payable to his
15 or her Landlord or Landlords for the Premises in respect of which
such Rate is payable One Half Part of the whole Amount of such
Rate, and every Tenant at Rack Rent, having paid such Rate in
37. manner

8 & 9 Vict.
c. 126.

Tenants may
deduct from
Rent the
Amount paid
for Rates for
providing
Lunatic
Asylums for
Counties.

manner as aforesaid, should be acquitted and discharged of and from the Payment of so much Money as such Half Part should amount to, as fully and effectually as if the same had been actually paid to such Landlord or Landlords in part of the Rent due from such Tenants: And whereas the said recited Act was repealed by an Act 5 passed in the Session of Parliament holden in the Eighth and Ninth Years of the Reign of Her present Majesty, intituled "An Act to " amend the Laws for the Provision and Regulation of Lunatic " Asylums for Counties and Boroughs, and for the Maintenance and " Care of Pauper Lunatics, in England : " And whereas it is expedient 10 to afford Relief to such Tenants holding at Rack Rent from a Portion of the Expenses incurred in erecting Lunatic Asylums for the Reception of County Pauper Lunatics, in pursuance of the said last-recited Act: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual 15 and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That whensoever and as often as Justices of the Peace in any County at their General or Quarter Sessions shall make and assess a Rate or Rates for the Purpose of carrying into execution any of the Provisions of the Act last 20 recited, or any other Act or Acts relating to the building, completing, or otherwise providing a Lunatic Asylum in any County, and shall order the same to be levied, it shall be lawful for every Tenant at Rack Rent occupying Lands or Tenements from Year to Year, or for any Term not exceeding *Twenty-one* Years, and con- 25 tributing to any such County Rate or Rates so assessed and levied as aforesaid, to deduct out of the Rent, and their Rent payable to his or her Landlord or Landlords, for the Premises in respect of which such Rate or Rates shall have been assessed, One Half Part of the whole Amount of such Rate so assessed and levied as aforesaid; 30 and all Landlords, their Heirs, Executors, Administrators, and Assignees, according to their respective Interests, shall allow such Deduction, upon Receipt of the Residue of such Rent; and every such Tenant paying such Rates as aforesaid shall be acquitted of so much of his Rent then payable or to be paid as shall be equal in Amount to 35 the Half Part of such Rate or Rates paid by him.

Lunatic
Asylum Rate
how to be
calculated.

II. And be it enacted, That every Tenant shall reckon the Amount payable by him in respect of such Rate according to the Amount in the Pound ordered by the Justices to be levied as aforesaid for the Purposes aforesaid, calculated upon the Parochial Assessment payable 40 by such Tenant for the Relief of the Poor of the Parish in which the said Premises are situated.

III. And

III. And be it enacted, That the Sessions Advertisement published by Order of the Justices in some public Newspaper shall be sufficient Evidence of the Amount of the Rate in the Pound ordered to be levied as aforesaid; and the Receipt of the Overseer or Collector
5 of the Parish in which the Premises are situated, stating the Amount in the Pound payable in respect of such Premises, shall be sufficient Evidence of the Sum which shall have been paid by such Tenant towards the Rate so ordered to be levied by the Justices as aforesaid: Provided always, that nothing herein contained shall affect
10 the Liability of any such Occupiers as aforesaid to pay all such Rates as aforesaid in the first instance to the Person or Persons having Authority to collect the same, or shall affect or diminish the Rights or Remedies in Justices or others to enforce Payment thereof: Provided also, that nothing herein contained shall affect Rates assessed
15 or to be assessed by Councils of Boroughs, or the Liability of Occupiers in respect of such Rates.

Publication
in Newspaper
Evidence of
Amount of
Rate to be
levied.

IV. And be it enacted, That this Act may be amended or repealed
by any Act to be passed in this Session of Parliament.

Act may be
amended, &c.

Tenants at Rack Rent Relief.

A

BILL

To relieve Occupiers of Lands or Tenements at Rack Rent from a Portion of the Rate levied for erecting and providing County Lunatic Asylums.

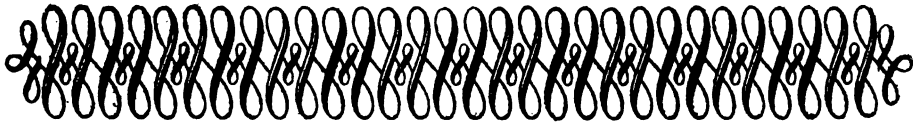
*(Prepared and brought in by
Mr. Sedgwick, Mr. Sidney Herbert, Mr. Ker Seymour,
and Mr. Long.)*

*Ordered, by The House of Commons, to be Printed,
11 February 1850.*

87.

Under 1 oz.

13 March 1850. 13 VICT.



(Ireland.)

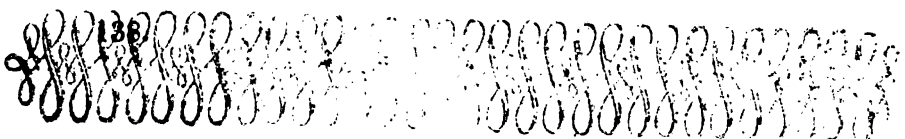
B I L L
M A N U S C R I P T
A Bill to extend to Ireland an Act of the First and Second Years of Her present Majesty, for facilitating the Recovery of Possession of Tenements after due Determination of the Tenancy.

Extend to Ireland an Act of the First and Second Years of Her present Majesty, for facilitating the Recovery of Possession of Tenements after due Determination of the Tenancy.

[Note.—The Words printed in *Italics* are proposed to be inserted in the Committee.]

W HEREAS an Act was passed in the First and Second Preamble. Years of the Reign of Her present Majesty, intituled
“An Act to facilitate the Recovery of Possession of 1 & 2 Vict.
“Tenements after due Determination of the Tenancy:” And whereas c. 74.
5 it is therein enacted that the said Act should not extend to Ireland:
And whereas it is desirable that the said Act should extend to
Ireland: Be it therefore enacted by the Queen’s most Excellent
Majesty, by and with the Advice and Consent of the Lords Spiritual
and Temporal, and Commons, in this present Parliament assembled,
10 and by the Authority of the same, That from and after the passing To extend to
of this Act the said recited Act shall extend to that Part of the Ireland.
United Kingdom called Ireland.

(Ireland.)



13 March 1850. 13 VICT.

THE UNIVERSITY OF CHICAGO

THE UNIVERSITY OF CHICAGO
CHICAGO, ILLINOIS

1917

THE UNIVERSITY OF CHICAGO
CHICAGO, ILLINOIS

THE UNIVERSITY OF CHICAGO
CHICAGO, ILLINOIS

THE UNIVERSITY OF CHICAGO
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THE UNIVERSITY OF CHICAGO
CHICAGO, ILLINOIS

THE UNIVERSITY OF CHICAGO
CHICAGO, ILLINOIS

Tenements Recovery.

(Ireland.)

A

BILL

To extend to Ireland an Act of the First and Second Years of Her present Majesty, for facilitating the Recovery of Possession of Tenements after due Determination of the Tenancy.

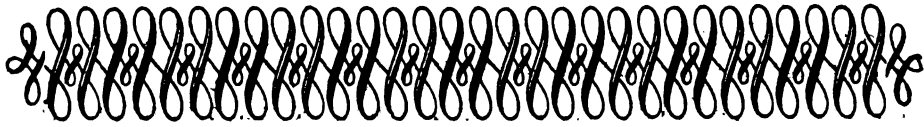
(Prepared and brought in by
Mr. Trevelyan and Viscount Bernard.)

Ordered, by The House of Commons, to be Printed,
13 March 1850.

138.

Under 1 oz.

14 March 1850. 13 VICT.



A

B I L L

TO

Render more simple and effectual the Titles by which Congregations or Societies for Purposes of Religious Worship or Education in England and Wales hold Property required for such Purposes.

[Note.—The Words printed in *Italics* are proposed to be inserted in the Committee.]

WHEREAS it is expedient to render more simple and effectual the Titles by which Congregations or Societies associated together for the Purposes of maintaining Religious Worship or promoting Education in England or Wales may held the Property required for such Purposes : Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That wherever Freehold, Leasehold, or Copyhold Property in England or Wales has been or may hereafter be acquired by any Congregation or Society or Body of Men associated for Religious Purposes or for the Promotion of Education, as a Chapel, Meeting House, or other Place of Worship, or as a Dwelling House for the Minister of such Congregation, with Offices, Garden, and Glebe for his Use, or as a Schoolhouse, with Schoolmaster's House, Garden, and Playground,

143.

or

Property conveyed for Religious or Educational Purposes to vest in Successors without Conveyance.

or as a College, Academy, or Seminary, or as a Hall or Rooms for the meeting or Transaction of the Business of such Congregation or Society or Body of Men, and wherever the Conveyance, Assignment, or other Assurance of such Property has been or may be taken to or in favour of Trustees to be from Time to Time appointed, or of any Party or 5 Parties named in such Conveyance, Assignment, or other Assurance, in trust for the Congregation or Society or Body of Men, or of the Individuals composing the same, such Conveyance, Assignment, or other Assurance shall not only vest the Freehold, Copyhold, or Leasehold Property thereby conveyed or otherwise assured in the Party 10 or Parties named therein, but shall also after the Death or Resignation or Removal from Office of such Party or Parties, or any of them, effectually vest such Freehold, Copyhold, or Leasehold Property in their Successors in Office for the Time being, chosen and appointed in the Manner provided in such Conveyance, Assignment, or other 15 Assurance, or if no Mode of Appointment be therein set forth or prescribed, then in Terms of the Rules or Regulations of such Congregation or Society or Body of Men, subject to such and the like Trusts, and with and under the same Powers and Provisions, as are contained in such Conveyance, Assignment, or other Assurance, and 20 that without any Transference, Assignment, Conveyance, or other Assurance whatsoever, anything in such Conveyance, Assignment, or other Assurance contained to the contrary notwithstanding.

Providing
for Payment
in lieu of
Fines on
Death or
Alienation
of Property
of Copyhold
Tenure.

II. And be it enacted, That where such Property shall be of Copyhold Tenure, and liable to the Payment of any Fine, on the Death or 25 Alienation of the Tenant or Tenants thereof, it shall be lawful for the Lord or Lady of the Manor of which such Property shall be holden, at the Death or Deaths of the existing Tenant or Tenants thereof, and at the Expiration of every Period of *Twenty-five* Years thereafter, so long as such Property shall belong to or be held in trust for such 30 Congregation or Society or Body of Men, or other Party or Parties to whom such Property may have been or shall be conveyed for their Benefit, a Sum corresponding to the Fine which would have been payable by Law upon the Death or Alienation of the Tenant or Tenants thereof; and such Payments shall be in full of all Fines 35 payable to the Lord or Lady of the Manor of which such Property is holden while the same shall remain the Property or be held in trust for such Congregation or Society or Body of Men; and the Lord or Lady of such Manor shall have all such Powers for the Recovery of such Sums as such Lord or Lady could have had in the event of the 40 Tenant or Tenants of such Property having died or having alienated the same: Provided always, that where such Fine shall not be fixed by the Custom of the Manor at a certain Sum, and the Property so held

held shall not be situated in a Town or Village or in the immediate Vicinity thereof, the Fine payable on account thereof shall be estimated at the annual Rent or annual Value of the Land so held if let for agricultural Purposes at the Time when such Fine shall become
5 due and payable in virtue of this Act.

III. And be it enacted, That wherever any Sum or Sums of Money shall have been or shall be invested on any Security in England or Wales, for the Benefit of any such Congregation or Society or Body of Men as aforesaid, for the Purposes aforesaid, or of any Religious,
10 Educational, or Charitable Object under their Administration and Management, the Bond or other Deed whereby such Sum or Sums of Money has or have been or may be secured shall not only effectually vest the said Sum or Sums of Money in the Party or Parties
15 Resignation or Removal from Office of such Party or Parties, or any of them, effectually vest the said Sum or Sums of Money in their Successors in Office for the Time being, chosen and appointed in the Manner provided in such Bond or other Deed, or if no Mode of Appointment be therein set forth or prescribed, then in Terms of the
20 Rules of such Congregation or Society or Body of Men, subject to the same Trusts and with and under the same Powers and Provisions as are contained in the Bond or other Deed given and granted to the Parties therein, and that without any Transference, Assignment, Conveyance, or other Assurance whatsoever, anything in such Bond or
25 other Deed to the contrary notwithstanding.

Sums invested on Security for Religious, Educational, or Charitable Purposes, to vest in Successors without Assignment.

IV. And be it enacted, That this Act may be amended or repealed
by any Act to be passed in the present Session of Parliament.

Act may be amended, &c.

Titles of Religious Con- gregations.

A

B I L L

To render more simple and effectual
the Titles by which Congregations or
Societies for Purposes of Religious
Worship or Education in England and
Wales hold Property required for such
Purposes.

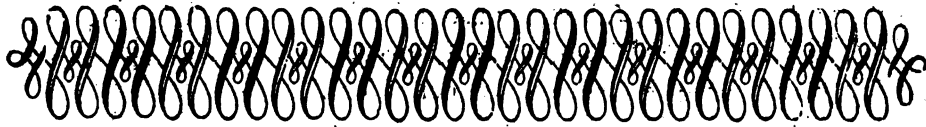
*(Prepared and brought in by
Mr. Peo, Mr. John Ellis, and Mr. Richard Harris.)*

*Ordered, by The House of Commons, to be Printed,
14 March 1850.*

148.

Under 1 oz.

29 April 1850. 13 VICT.



A

BILL

[AS AMENDED BY THE COMMITTEE AND ON RE COMMITMENT]

To render more simple and effectual the Titles by which Congregations or Societies for Purposes of Religious Worship or Education in England and Wales hold Property required for such Purposes.

NEW TITLE FOR THIRD READING:

AN ACT to render more simple and effectual the Titles by which Congregations or Societies for Purposes of Religious Worship or Education in England and Wales hold Property for such Purposes.

[Note.—The Clause marked A., and Schedule, were added on Re-commitment.]

Preamble.

WHEREAS it is expedient to render more simple and effectual the Titles by which Congregations or Societies associated together for the Purposes of maintaining Religious Worship or promoting Education in England or Wales may hold the Property required for such Purposes: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That wherever Freehold, Leasehold, Copyhold, or Customary Property in England or Wales has been or hereafter shall be acquired by any Congregation or Society or Body of Persons associated for Religious Purposes, or for the Promotion of Education, as a Chapel, Meeting House, or other Place of Religious Worship, or as a Dwelling House for the Minister of such Congregation, with

Property conveyed for Religious or Educational Purposes to vest in Successors without Conveyance.

283.

A

Offices,

or as a Dwelling House for the Minister of such Congregation, with Offices, Garden, and Glebe, or Land in the Nature of Glebe, for his Use, or as a Schoolhouse, with Schoolmaster's House, Garden, and Playground, or as a College, Academy, or Seminary, with or without Grounds for Air, Exercise, or Recreation, or as a Hall or Rooms for the meeting or Transaction of the Business of such Congregation or Society or Body of Persons, and wherever the Conveyance, Assignment, or other Assurance of such Property has been or may be taken to or in favour of a Trustee or Trustees to be from Time to Time appointed, or of any Party or Parties named in such Convey- 10
 ance, Assignment, or other Assurance, or subject to any Trust for the Congregation or Society or Body of Persons, or of the Individuals composing the same, such Conveyance, Assignment, or other Assurance shall not only vest the Freehold, Leasehold, Copyhold, or Customary Property thereby conveyed or otherwise assured in the 15
 Party or Parties named therein, but shall also effectually vest such Freehold, Leasehold, Copyhold, or Customary Property in their Successors in Office for the Time being and the old continuing Trustees, if any, jointly, or if there be no old continuing Trustees, then in such Successors for the Time being wholly, chosen and appointed in the 20
 Manner provided or referred to in or by such Conveyance, Assignment, or other Assurance, or in any separate Deed or Instrument declaring the Trust thereof, or if no Mode of Appointment be therein set forth, prescribed, or referred to, or if the Power of Appointment be lapsed, then in such Manner as shall be agreed upon by such 25
 Congregation or Society or Body of Persons, upon such and the like Trusts, and with, under, and subject to the same Powers and Provisions, as are contained or referred to in such Conveyance, Assignment, or other Assurance, or in any such separate Deed or Instrument, or upon which such Property is held, and that without 30
 any Transfer, Assignment, Conveyance, or other Assurance whatsoever, anything in such Conveyance, Assignment, or other Assurance, or in any such separate Deed or Instrument, contained to the contrary notwithstanding: Provided always, that in case of any Appointment of a new Trustee or Trustees of or the Conveyance of the legal 35
 Estate in any such Property being made as heretofore was by Law required, the same shall be as valid and effectual to all Intents and Purposes as if this Act had not been passed.

Providing
 for Payment
 in lieu of
 Fines on
 Death or
 Alienation
 of Property
 of Copyhold
 or Customary
 Tenure.

II. And be it enacted, That where such Property shall be of Copyhold or Customary Tenure, and liable to the Payment of any 40
 Fine, with or without a Heriot, on the Death or Alienation of the Tenant or Tenants thereof, it shall be lawful for the Lord or Lady of the Manor of which such Property shall be holden, on the next Appointment of a new Trustee or Trustees thereof, and at the Expiration of every Period of Forty Years thereafter, so long as 45
 such

such Property shall belong to or be held in trust for such Congregation or Society or Body of Persons or other Party or Parties to whom such Property may have been or shall be conveyed for their Benefit, to receive and take a Sum corresponding to the Fine and
 5 Heriot, if any, which would have been payable by Law upon the Death or Alienation of the Tenant or Tenants thereof; and such Payments shall be in full of all Fines payable to the Lord or Lady of the Manor of which such Property is holden, while the same shall remain the Property or be held in trust for such Congregation or
 10 Society or Body of Persons; and the Lord or Lady of such Manor shall have all such Powers for the Recovery of such Sums as such Lord or Lady could have had in the event of the Tenant or Tenants of such Property having died or having alienated the same.

III. And be it enacted, That for the Purpose of preserving
 15 Evidence of every such Choice and Appointment of a new Trustee or new Trustees, and of the Person and Persons in whom such Charitable Estates and Property shall so from Time to Time become legally vested, every such Choice and Appointment of a new Trustee or new Trustees shall be made to appear by some Deed (which shall
 20 not be required to be stamped) under the Hand and Seal of the Chairman for the Time being of the Meeting at which such Choice and Appointment shall be made, and shall be executed in the Presence of such Meeting, and attested by Two or more credible Witnesses, which Deed may be in the Form or to the like Effect of
 25 the Schedule to this Act annexed, or as near thereto as Circumstances will allow, and may be given and shall be received as Evidence in all Courts and Proceedings in the same Manner and on the like Proof as Deeds under Seal, and shall be Evidence of the Truth of the several Matters and Things therein contained.

CLAUSE A.
 Appointment of new Trustees to be made appear by Deed.

30 IV. And be it enacted, That this Act may be amended or repealed by any Act to be passed in the present Session of Parliament, except so far as the contrary shall be made to appear.

Act may be amended, &c.

Titles of Religious Congregations.

SCHEDULE to which this Act refers.

MEMORANDUM of the Choice and Appointment of new Trustees of the [*describe the Chapel, School, or other Buildings and Property*] situate in the Parish [*or Township*] of in the County [*Riding, Division, City, or Place*] of at a Meeting duly convened and held for that Purpose [*in the Vestry of the said Chapel*] on the [*25th*] Day of [*April 1850*], A.B. of Chairman.

Names and Descriptions of all the Trustees on the Constitution or last Appointment of Trustees made the Day of

Adam Bell of
Charles Dixon of
Edward Foster of
George Hurst of
John Jackson of
Kenneth Lucas of
Matthew Norman of
Octavius Parker of

Names and Descriptions of all the Trustees in whom the said [*Chapel*] and Premises now becomes legally vested.

First.—Old continuing Trustees:—

John Jackson, now of
Matthew Norman, now of
Octavius Parker, now of

Second.—New Trustees now chosen and appointed:—

Benjamin Adams of
Charles Bell of
Jonathan Edmonds of
Richard Baxter of
John Home of

Dated this Day of

William Hicks, (L.S.)
 Chairman of the said Meeting.

Signed, sealed, and delivered by the said *William Hicks*, as Chairman of the said Meeting, at and in the Presence of the said Meeting, on the Day and Year aforesaid, in the Presence of

C. D.
E. F.

[*The Blanks, and Parts in Italics, to be filled up as the Case may be.*]

Titles of Religious Con- gregations.

A

B I L L

[AS AMENDED BY THE COMMITTEE, ON RE-
COMMITMENT, AND ON CONSIDERATION
OF BILL AS AMENDED]

To render more simple and effectual
the Titles by which Congregations or
Societies for Purposes of Religious
Worship or Education in England and
Wales hold Property required for such
Purposes.

NEW TITLE FOR THIRD READING :

AN ACT to render more simple and
effectual the Titles by which Congre-
gations or Societies for Purposes of
Religious Worship or Education in
England and Wales hold Property
for such Purposes.

(Prepared and brought in by
Mr. Peto, Mr. John Ellis, and Mr. Richard Harris.)

Ordered, by The House of Commons, to be Printed,
30 May 1850.

28 February 1850. 13 VICT.



(Scotland.)

A

B I L L

TO

Render more simple and effectual the Titles by which Congregations or Societies associated for Purposes of Religious Worship or Education in Scotland hold Real Property required for such Purposes.

Note.—The Words printed in *Italics* are proposed to be inserted in the Committee.

WHEREAS it is expedient to render more simple and effectual the Titles by which Congregations or Societies associated together for the Purposes of maintaining Religious Worship or promoting Education in Scotland may hold the Heritable Property required for such Purposes: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That wherever Heritable Property, consisting of Lands or Houses in Scotland, has been or may hereafter be acquired by any Congregation or Society or Body of Men associated for religious Purposes or for the Promotion of Education, as a Chapel, Meeting House, or other Place of Worship, or as a Manse or Dwelling House for the Minister of such Congregation, or Offices, Garden, or Glebe for his Use, or as a School-house,

99.

Preamble.

Heritable Property conveyed for religious or educational Purposes to vest in Dis-pones or their Succes-sors.

house, or Schoolmaster's House, Garden, or Play-ground, or as a College, Academy, or Seminary, or as a Hall or Rooms for the Meetings or Transaction of the Business of such Congregation or Society or Body of Men, and wherever the Charter, Disposition, Conveyance, or Lease of such Heritable Property has been or may be taken in 5 favour of the Minister, Kirk Session, Vestrymen, Deacons, Managers, or other Office-bearers or Office-bearer of such Congregation or Society or Body of Men, or any of them, or of Trustees appointed or to be from Time to Time appointed, or of any Party or Parties named in such Charter, Disposition, Conveyance, or Lease, in trust for behoof 10 of the Congregation or Society or Body of Men, or of the Individuals composing the same, such Charter, Disposition, or Conveyance, when followed by Infestment duly expedite and recorded in Terms of Law, or such Lease, shall not only vest the Party or Parties named therein in the Lands, Houses, or other Heritable Property thereby feued, 15 conveyed, or leased, but shall also, after the Death or Resignation or Removal from Office of such Party or Parties, or any of them, effectually vest their Successors in Office for the Time being, chosen and appointed in the Manner provided in such Charter, Disposition, Conveyance, or Lease, or if no Mode of Appointment be therein set 20 forth or prescribed, then in Terms of the Rules or Regulations of such Congregation or Society or Body of Men, in such Lands, Houses, or Property, subject to such and the like Trusts, and with and under the same Powers and Provisions, as are contained in the Charter, Disposition, Conveyance, or Lease given and granted to 25 the Parties, Disponees or Lessees therein, and that without any Transference, Assignment, Conveyance, or other Transmission or Renewal of the Investiture whatsoever, anything in such Charter, Disposition, Conveyance, or Lease contained to the contrary notwithstanding. 30

Providing
for Payment
in lieu of
Casualties of
Superiority.

II. And be it enacted, That where no Agreement shall have been made or shall be made with the Superior of such Heritable Property for a periodical or other Payment in lieu of the Casualty or Composition payable by Law or in Terms of the Investiture upon the Entry of Heirs and singular Successors, it shall be lawful for such 35 Superior, at the Death of the existing Vassal in such Heritable Property, and at the Expiration of every Period of *Twenty-five* Years thereafter, so long as such Heritable Property shall belong to or be held for behoof of such Congregation or Society or Body of Men, to demand and take from such Congregation or Society or Body 40 of Men, or other Party or Parties to whom such Heritable Property may have been or shall be feued or conveyed for their Behoof, a Sum corresponding to the Casualty or Composition, if any such shall in the Circumstances be due, which would have been payable upon the

the Entry of a singular Successor therein, and such Payments shall be in full of all Casualties of Entry and Composition payable to the Superior for or furth of such Heritable Property while the same shall remain the Property or be held for behoof of such Congregation
5 or Society or Body of Men, and the Superior shall have all such and the like Preference and Execution for the Recovery of such Sums as Superiors have for the Recovery of Casualties of Superiority according to Law: Provided always, that where such Casualty or Composition shall not have been taxed in the Investiture, and the heritable Pro-
10 perty so feued or conveyed shall not be situated in a Town or Village, or in the immediate Vicinity thereof, the Casualty or Composition payable therefor shall be held to be the annual Rent or annual Value of the Land so feued or conveyed, if let as an agricultural Subject at the Time when such Casualty or Composition shall become due and
15 exigible in virtue of this Act.

III. And be it enacted, That wherever any Sum or Sums of Money shall have been or shall be invested on Heritable Security in Scotland for the Behoof of any such Congregation or Society or Body of Men as aforesaid, for the Purposes aforesaid, or for any religious, educational,
20 or charitable Object under their Administration and Management, and the Bond and Disposition in Security or other Deed whereby such Security has been or may be constituted shall have been or shall be taken in favour of any Minister, Kirk Session, Vestrymen, Deacons, Managers, Office-bearers or Office-bearer, or of Trustees as afore-
25 said, and duly recorded or followed by Infestment (where Infestment shall be necessary) duly expedite and recorded in Terms of Law, such Bond and Disposition in Security or other Deed and Infestment (if any) shall not only effectually vest the Party or Parties therein named in such Bond and Disposition in Security or other Deed, but shall
30 also, after the Death or Resignation or Removal from Office of such Party or Parties or any of them, effectually vest their Successors in Office for the Time being chosen and appointed in the Manner provided in such Bond and Disposition in Security or other Deed, or if no Mode of Appointment be therein set forth or prescribed, then in
35 Terms of the Rules of such Congregation or Society or Body of Men, in such Bond and Disposition in Security or other Deed, and the Sum or Sums of Money therein contained, subject to the same Trusts, and with and under the same Powers and Provisions, as are contained in the Bond or Disposition in Security or other Deed given and granted
40 to the Parties Disponees therein, and that without any Transference, Assignment, Conveyance, or other Transmission, or Renewal of Investiture whatsoever, anything in such Bond or Disposition in Security or other Deed to the contrary notwithstanding.

Sums in-
vested on
Heritable
Security for
religious,
educational,
or charitable
Purposes to
vest in Dis-
ponees and
their Suc-
cessors.

Act may be
amended or
repealed.

IV. And be it enacted, That this Act may be amended or repealed by any Act to be passed in the present Session of Parliament.

Titles of Religious Con- gregations.

(Scotland.)

A

B I L L

To render more simple and effectual the Titles by which Congregations or Societies associated for Purposes of Religious Worship or Education in Scotland hold Real Property required for such Purposes.

*(Prepared and brought in by
Mr. Secretary at War and Mr. Gibson Craig.)*

*Ordered, by The House of Commons, to be Printed,
28 February 1850.*

99.

Under 1 oz.

7 August 1850. 13 & 14 VICT.



(Ireland.)

A

B I L L

TO

Authorize the Transfer of Loans for the Improvement of Land in Ireland to other Land.

[Note.—The Words printed in *Italics* are proposed to be inserted in the Committee.]

WHEREAS by the Act of the present Session of Parliament, Preamble.
“ to authorize further Advances of Money for Drainage 13 & 14 Vict.
“ and the Improvement of Landed Property in the United c. 31. s. 10.
“ Kingdom, and to amend the Acts relating to such Advances,” it is
5 enacted, that the Commissioners of Public Works in Ireland shall not
make any Order for any Loan under the Acts therein referred to and
that Act, or any of them, to the same Owner, to a larger Amount
than Five thousand Pounds, or if any previous Order or Orders have
been made under such Acts or any of them for a Loan or Loans to
10 the same Owner in respect to the same or any other Land, or to any
previous Owner of the same Land, in respect of such Land, the said
Commissioners shall not make such Order for a Loan to a larger
Amount than will with the Sum which has been or may be issued
under such previous Order or Orders make up Five thousand Pounds :
15 And whereas it may happen, where Orders for Loans for the Improve-
ment of Land in Ireland have been made, that the Money authorized
to be advanced thereunder may be more advantageously expended
686. in

2 *Transfer of Improvement Loans (Ireland).*

Recited
Enactment
not to pre-
vent new
Orders for
Loans upon
Relinquish-
ment of
Advances
under pre-
vious Order.

in the Improvement of other Land of the same Owner: Be it
therefore enacted by the Queen's most Excellent Majesty, by and
with the Advice and Consent of the Lords Spiritual and Tem-
poral, and Commons, in this present Parliament assembled, and by
the Authority of the same, That where an Order for a Loan for 5
Works for the Improvement of Land in Ireland has been made by the
said Commissioners under the Acts in the said recited Enactment
referred to or any of them, or under this Provision, and no Advance
has been made under such Order, or the whole of the Sum in such
Order mentioned has not been issued, the said recited Enactment shall 10
not prevent the said Commissioners, on the Relinquishment by the
Owner for the Time being of the Lands mentioned in such Order of
the Loan of the Sum in such Order mentioned, either wholly or in
Part, from making a new Order for a Loan for any Works on other
Lands in Ireland of the same Owner, to ~~any~~ Amount not exceeding 15
the Amount so relinquished, notwithstanding such Amount ~~shall~~
exceed *Five thousand* Pounds, or will, with the Sum which has been
or may be issued under the said first-mentioned Order, or any other
Order or Orders, exceed *Five thousand* Pounds.

This Act to
be deemed
Part of
recited Act.

II. And be it enacted, That this Act and the said Act of the 20
present Session shall be construed together as One Act, and the
Provision herein contained shall be deemed to extend to all Orders,
Proceedings, and Matters already made, taken, and done, in the same
Manner as if such Provision had been originally inserted in the said
Act of the present Session,

25

Transfer of Improvement Loans.

(Ireland.)

A

B I L L

To authorize the Transfer of Loans for
the Improvement of Land in Ireland
to other Land.

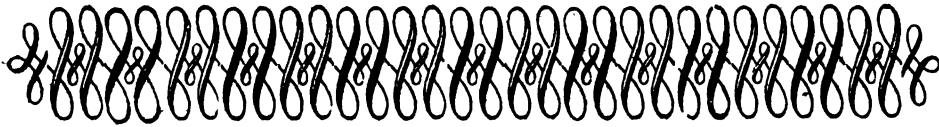
*(Prepared and brought in by
The Chancellor of the Exchequer and
Sir William Somerville.)*

*Ordered, by The House of Commons, to be Printed,
7 August 1850.*

686.

Under 1 oz.

26 July 1850. 13 & 14 VICT.



A

B I L L

TO

Enable the Tenants of the Provost, Fellows, and Scholars of the College of the Holy and Undivided Trinity of Queen Elizabeth near Dublin to acquire Perpetuities in certain Cases, and to extend the Leasing Powers of the said Provost, Fellows, and Scholars.

[Note.—The Words printed in *Italics* are proposed to be inserted in the Committee.]

WHEREAS it would materially promote agricultural Improvement in Ireland, and be of considerable public Advantage, if the Tenants of the Provost, Fellows, and Scholars of the College of the Holy and Undivided Trinity of Queen Elizabeth near Dublin, were entitled to demand and acquire Grants in Perpetuity in certain Cases of the Lands held by them from and under the said Provost, Fellows, and Scholars of the said College: And whereas the said Provost, Fellows, and Scholars, being anxious to promote any Measure by which a public Improvement might be effected, so far as they can consistently with the Charters of the said College and the Interests thereof, have consented to allow to the said Tenants the Right to acquire Grants in Perpetuity of their said Lands, on

623. being

A

Preamble.

Any Tenant by Lease of Lands under Trinity College, Dublin, may require the College to make to him a Grant in Perpetuity of such Lands without Fine, rendering a Rent as herein-after provided.

being required so to do by the present Lessees thereof, upon the Terms herein-after provided: And whereas by the Report of Her Majesty's Commissioners of Inquiry into the State of the Law and Practice in respect to the Occupation of Land in Ireland, bearing Date the Fourteenth Day of February One thousand eight hundred 5 and forty-five, it was amongst other things recommended by the said Commissioners, "that extended Leasing Powers should be given, " under proper and equitable Restrictions, to the Provost and Fellows " of the said College:" Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the 10 Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful for any Person who shall at the Time of the *passing of this Act* hold any of the said Lands under any Lease thereof, as Tenant thereof to the said Corporate Body of the Provost, 15 Fellows, and Scholars of the said College, his Executors, Administrators, and Assigns, at any Time within *Four* Years next after the passing of this Act (provided his or their Interest shall so long last), to ask and demand, and he or they shall be entitled to obtain from the said Provost, Fellows, and Scholars of the said College, a Grant 20 in Perpetuity of the Lands or Hereditaments so held by him under such Lease as such Tenant, he the said Tenant paying thereout to the said Provost, Fellows, and Scholars an annual Rent, to be ascertained in the Manner herein-after provided; and it shall and may be lawful for the said Provost, Fellows, and Scholars, and they 25 are hereby required, at the Request in Writing of any such Tenant, to grant and convey to him, by an Indenture duly executed under the Common Seal of said College, the Perpetuity of and in the Lands or Hereditaments so held by him under any such Lease as aforesaid: Provided always, that such Grant be made to take effect 30 in immediate Possession; and that for the making of any such compulsory Grant of the Perpetuity no Fine, Foregift, Premium, or Consideration in Money, or otherwise, be given, promised, or accepted; and also, that every such Grant shall contain the usual Covenants to pay the Rent, and Clauses of Re-entry and Distress 35 upon Nonpayment of Rent; and the Grantee in every such Indenture shall execute a Counterpart thereof, or otherwise the same shall be null and void.

How Rent upon such compulsory Grant to be calculated and determined where Tenant is deemed to

II. And be it enacted, That in the Case of any Tenant who at the Time of the making of such compulsory Grant shall have or 40 desire to be deemed (pursuant to the Provisions herein-after contained) as having an existing Estate for the full and unexpired Term of *Twenty-one* Years (to be computed from the First Day of May next preceding his making Application for such compulsory Grant), the Rent

Rent to be reserved in such compulsory Grant shall be determined as follows; that is to say, by deducting Interest at the Rate of *Five Pounds* per Centum per Annum on the Value of the Tenant's said existing Estate from the then full average annual Value of the said Lands, have existing Estate for Twenty-one Years.

5 unless the Rent so ascertained shall exceed the aggregate Amount of the annual Rent (less by the Amount of the Rent-charge in lieu of Tithes payable from such Lands) and of the annual Renewal Fines payable at the Time of the making of such compulsory Grant by more than the *One Fifth* Part thereof, or unless such Rent so ascer-

10 tained shall fall short of the aggregate Amount of the annual Rent (less such Rent-charge as aforesaid) and annual Renewal Fines then payable as aforesaid; and in case the said Rent so ascertained as aforesaid shall exceed the said Amount of the annual Rent (less such Rent-charge as aforesaid) and annual Renewal Fines then payable

15 in respect of said Lands by more than *One Fifth* Part of the aggregate of said Rent (less such Rent-charge as aforesaid) and annual Renewal Fines, then the Rent to be reserved in such compulsory Grant, in the Cases aforesaid, shall be the aggregate Amount of the said annual Rent (less such Rent-charge as aforesaid) and annual Renewal Fines

20 and the *One Fifth* Part of the Sum of said Rent and annual Renewal Fines; and if the said Rent so ascertained as aforesaid shall fall short of the aggregate Amount of the said annual Rent (less such Rent-charge as aforesaid) and annual Renewal Fines then payable in respect of said Lands, then the Rent to be reserved in such compul-

25 sory Grant in the Cases aforesaid shall be the aggregate Amount of the said annual Rent (less such Rent-charge as aforesaid) and annual Renewal Fines so payable as aforesaid.

III. And be it enacted, That in the Case of any Tenant who at the Time of the making of such compulsory Grant shall not have

30 and shall not be desirous of being deemed to have, as aforesaid, an existing Estate for the full Term of *Twenty-one* Years as aforesaid, the Rent to be reserved in such compulsory Grant shall be determined by ascertaining the Renewal Fine which would be then payable by such Tenant according to the present Mode of calculating

35 Fines so as to obtain a renewed Lease for the full Term of *Twenty-one* Years as aforesaid, and adding the Interest at the Rate of *Five Pounds* per Centum per Annum on the Fine so ascertained to the Rent which, pursuant to the Provisions of this Act, would be reserved in such compulsory Grant in the Cases of Tenants having or being so as

40 aforesaid deemed to have a fully renewed Lease, and such aggregate Sum shall be the reserved Rent in such compulsory Grant, notwithstanding that the same may exceed by more than *One Fifth* the aggregate of the previously reserved Rent (less such Rent-charge in lieu of Tithes as aforesaid) and annual Renewal Fines as aforesaid.

How Rent to be reserved or such Grant to be calculated where the Tenant has not an existing Interest for Twenty-one Years.

How annual
average
Value of the
Lands to be
ascertained
according to
average Price
of Corn, &c.

IV. And be it enacted, That for the Purposes of this Act the full average annual Value of the Lands (communibus annis) at the Time of making of any such compulsory Grant shall be determined as follows; by ascertaining the Valuation of the said Lands made by the Commissioner under the Act of Sixth and Seventh Year of the Reign 5 of King William the Fourth, Chapter Eighty-four (commonly known as Griffith's Valuation), omitting the Value of Buildings as included or estimated in such Valuation, and also ascertaining the average Prices by the Hundred Weight of the Two following Articles, viz. Wheat and Oats, and the Prices by the Quarter Hundred Weight of 10 the Two following Articles, viz. Beef and Mutton, and the Price by the Stone Weight of Butter, as said several Prices are advertised in the Dublin Gazette for the Period of *Twelve* Calendar Months immediately preceding the First Day of May before the Application for such compulsory Grant, and the said full average annual Value of 15 the said Lands, communibus annis, at the Time of the making of any such compulsory Grant, shall be deemed to be the annual Sum which shall bear to the said annual Sum so ascertained to be the Valuation thereof, under the said Act of the Sixth and Seventh Year of King William the Fourth, the same Proportion as the Sum of 20 the average Prices of said Five Articles so ascertained as aforesaid from the said Dublin Gazette bears to the Sum of the Prices of the said Articles as set out in the said Act as being the Standard Prices under which said Valuation under the Sixth and Seventh Year of King William the Fourth was to be made. 25

How the
average
annual Re-
newal Fine
ascertained.

V. And be it enacted, That for the Purposes of this Act the average annual Renewal Fine shall be deemed and taken to be such Fine as at the Time of the passing of this Act, according to the then Custom of the said College, would be payable upon obtaining a Renewal of a Lease for *Twenty-one* Years, if One Year of the Term 30 thereby granted and no more was expired.

How Value
of the Te-
nant's Interest
ascertained
for a Term
of Twenty-
one Years.

VI. And be it enacted, That for the Purposes of this Act the Value of the Tenant's Interest for a full Term of *Twenty-one* Years shall be ascertained by deducting the annual Rent (irrespective of Fines) payable under his Lease by the Tenant at the Time of the Service 35 by him of the Notice requiring the Perpetuity from the said then full average annual Value of the Lands so ascertained as aforesaid, and multiplying the Difference by *Thirteen*.

How Value
of Tenant's
Interest for
a less Term

VII. And be it enacted, That for the Purposes of this Act the Value of the Tenant's Interest for any lesser Period than the full 40 Term of *Twenty-one* Years shall be ascertained on the Supposition that

that the said Tenant's Interest in a fully renewed *Twenty-one* Years Lease shall be of the Value of *Thirteen* Years Purchase.

than *Twenty-one* Years ascertained.

VIII. And be it enacted, That for the Purpose of obtaining any such compulsory Grant in Perpetuity it shall be lawful for every
 5 Tenant who shall not have a fully renewed Lease, at his Option, either to pay such Fine and in such Manner as previously to the passing of this Act would or might be demanded for granting a Renewal of his then existing Estate or Interest for the full Term of *Twenty-one* Years as heretofore done, and then to be deemed as
 10 having an existing Estate or Interest for such full Term of *Twenty-one* Years, or to withhold such Fine, and have the Interest thereon, at the Rate of *Five Pounds* per Centum per Annum, added to the Rent which would be payable by him 'if he had or was deemed to have an existing Estate for the full Term of *Twenty-one* Years; provided,
 15 however, that at any Time before the Expiration of the Number of Years which, at the Time of the coming of this Act into operation, shall be required to complete the then unexpired Residue of his full Term of *Twenty-one* Years, such Tenant may redeem such Interest of *Five Pounds* per Centum so to be added to his Rent, by Payment
 20 of the full Amount of such Fines as were ascertained to have been payable by him in order to his being deemed to have a fully renewed Lease at the Time of such compulsory Grant; and in every such Case as aforesaid, wherein such Tenant shall, within the Period hereinbefore limited for that Purpose, pay to said Provost, Fellows, and
 25 Scholars the Sum of Money hereby required as and for such Arrears of Fine as aforesaid, thereupon the Rent reserved in such Grant shall be reduced by the Amount of such Interest of *Five Pounds* per Centum so payable by such Tenant and included as Rent in such Grant; and such Reduction shall be effectuated by a Deed to be
 30 endorsed on or annexed to such Deed of Grant, and to be sealed with the Common Seal of the said College, in which Deed shall be stated the former Grant, the Rent thereby reserved, and the Sum included in such Rent as and for Interest on such Arrears of Fine, also the Sum payable for such Redemption, and the Amount of Rent to be for the future payable under such Grant of the Perpetuity, such
 35 Deed to be delivered by the said Provost, Fellows, and Scholars to such Tenant or Grantee, his Heirs or Assigns; and the said Tenant or Grantee, his Heirs or Assigns, shall thereupon execute a Counterpart of such Deed, under his or their Hand and Seal or Hands and Seals, and deliver same to the said Provost, Fellows, and Scholars; and
 40 from thenceforth the Rent to be payable under such Grant or Conveyance shall be such reduced annual Rent, and shall be recoverable by all the Ways and Means, and be subject to all the Incidents in every respect as the Rent originally inserted in such Grant, and as

Proceedings as to the Rent reserved where at the Time of the Grant of the Perpetuity the Tenant has not a fully renewed Term of Years.

if the same had been originally reserved thereby, and shall be paid to and received by the said Provost, Fellows, and Scholars from the Gale Day next before the Execution of such Deed : Provided always, that nothing in such Deed contained shall in anywise alter, change, or affect such Grant in Perpetuity (save as to the Amount of Rent 5 thereby reserved), or any of the Clauses, Covenants, Agreements, or Provisions in such Grant contained, or the Rights thereunder of the Parties thereto, or either or any of them.

All Arrears of Rent, &c. to be paid before such Grant can be required.

Application to be made within Four Years.

IX. And be it enacted, That no Tenant or Lessee as aforesaid shall be entitled to require and demand any such compulsory Grant 10 in Perpetuity to be made to him unless he shall have, previously to the Execution of such compulsory Grant, paid all Rent and Arrears of Rent, Fees and Duties, up to and for the next preceding Gale Day, and shall make such Application in Writing for such Grant in Perpetuity before the Expiration of *Four* Years, to be computed from 15 and after the passing of this Act.

College to insert in Grant a Statement of the said average Prices of Corn, &c.

Rent to be varied accordingly.

X. And be it enacted, That the said Provost, Fellows, and Scholars shall and may, if they so think fit, on their own Behalf, (and they are hereby directed so to do, at the Request of the Tenant or Grantee,) insert or cause to be inserted in every such compulsory Grant of the 20 Perpetuity a Statement of the said average Prices, by the respective Weights herein-before specified, of the Five Commodities for the said Period of *Twelve* Calendar Months immediately preceding the First Day of May next before the Application for such compulsory Grant, so ascertained as aforesaid upon the Returns advertised in the Dublin 25 Gazette during such Period, and the same shall from Time to Time, and at all Times hereafter, be the permanent Standard, by Reference to which the Rents shall from Time to Time be varied as herein-after provided.

At the Desire of the College or of the Tenant the Rent may be varied after every successive Period of Ten Years according to the then average Prices.

XI. And be it enacted, That it shall and may be lawful for the 30 said Provost, Fellows, and Scholars, or such Grantee, his Heirs, Appointees, or Assigns, during the Continuance of the Estate granted by such compulsory Grant, by Notice in Writing duly served, to require each of the other, at any Time within *Six* Calendar Months next after the Expiration of *Ten* Years, to be computed from the 35 said First Day of May next preceding the Execution of such compulsory Grant as aforesaid, and in like Manner at any Time within *Six* Months next after the Expiration of every subsequent Period of *Ten* Years, such subsequent Periods to be computed each from the Termination of the preceding Period, to have the average Prices 40 of the aforesaid several Quantities of the said herein-before mentioned Commodities respectively for the said Period of *Ten* Years then next

next preceding inquired of and ascertained from the Dublin Gazette, in the Manner herein-before provided; and thereupon it shall and may be lawful to and for the said Provost, Fellows, and Scholars of said College, and, if so required by the said Grantee, they are hereby
5 directed, to ascertain the said average Prices of the said several Quantities of the said several Commodities respectively for the said Period of *Ten* Years in manner aforesaid, and if it shall happen that the aggregate of the said several Prices of the said Commodities for such *Ten* Years then next preceding is more or less by *One*
10 *Tenth* than the aggregate of the said average Prices thereof set forth in the said Compulsory Grant, then and in such Case the Amount of such annual Rent to be paid out of or in respect of the said Lands or Hereditaments comprised in the said compulsory Grant shall be increased or diminished by the said Provost, Fellows, and
15 Scholars respectively, in such Manner and to such Extent that the Amount of such annual Rent payable for and during the next ensuing *Ten* Years shall bear the like Proportion to the Amount of the annual Rent reserved and made payable out of the said Lands and Premises in such original compulsory Grant as the said aggregate of the said average Prices of the said Five Commodities
20 ascertained at the Time of the Service of such Notice shall bear to the aggregate of the said average Prices thereof set forth in such original compulsory Grant, and so in like Manner at each subsequent Period of *Ten* Years the Rent to be payable shall be ascertained in
25 the like Manner; and a Certificate shall thereupon be executed by the said Provost, Fellows, and Scholars under the Common Seal of said College, which Certificate shall set forth the Amount of such reserved or new annual Rent to be paid and payable out of the said Lands and Premises, and be delivered to the Person liable to such
30 Rent, who shall also thereupon execute under his Hand and Seal a Counterpart of such Certificate, to be retained by the Provost, Fellows, and Scholars; and such revised new annual Rent shall be paid to and received by the said Provost, Fellows, and Scholars for *Ten* Years, commencing from the First Day of May next before
35 the Application made for such Revision, and until such Revision and new annual Rent shall again afterwards upon a like Application be in like Manner revised and ascertained as aforesaid; and the said Provost, Fellows, and Scholars, and the said Tenants, their Heirs, Executors, Administrators, or Assigns, are hereby respectively authorized and
40 entitled from Time to Time, after the Expiration of any and every such Period of *Ten* Years, during the Continuance of such Grant, notwithstanding they may have omitted so to do at the Expiration of any previous Period of *Ten* Years, to have such Revision, and the then future Rent ascertained and certified in such and the like
45 Manner and Form as herein-before described with respect to the
623. First

First Application; and the Costs, Charges, and Expenses of every such Application, and of varying and re-ascertaining the Amount of such annual Rent, shall be defrayed by the Person or Parties who shall make such Application as aforesaid, and such revised and new annual Rent shall, during the Period when it shall be so in force, 5 stand in the place of the said original annual Rent reserved and made payable out of the said Lands and Premises, in like Manner as the said original Rent reserved in and by such compulsory Grant, and shall be subject to all the Remedies, Covenants, Clauses, and Conditions in the original Grant contained, to all Intents and 10 Purposes as if such revised and new annual Rent were the annual Rent originally inserted or reserved in and by the said Grant: Provided always, that in no event shall the Rent to be reserved upon any such Revision be less than the aggregate Amount of the Rent and average Renewal Fines (less such Rent-charge in lieu of Tithe 15 as aforesaid) payable at the Time of the making of such compulsory Grant in Perpetuity as aforesaid.

Proviso that the Rent on any such Revision shall never be less than the Rent and Fine payable at the Time of the Grant (less Rent-charge).

Applicant for Grant to deposit a Sum for Expense of ascertaining Terms of Purchase.

XII. And be it enacted, That in all Cases of Applications for compulsory Grants of the Perpetuity under this Act, the Applicant shall deposit or secure, in such Manner as the said Provost, Fellows, 20 and Scholars shall appoint, such reasonable Sum of Money as the said Provost, Fellows, and Scholars shall think necessary to defray the Expenses which the said Provost, Fellows, and Scholars may incur in ascertaining the Terms of the Purchase for which such Application shall be made; and when such compulsory Grant shall 25 have been completed, or in case such Applicant shall decline completing such compulsory Grant, such Expenses as aforesaid shall be deducted out of the Money so deposited or secured, and the Surplus, if any, refunded to such Applicant.

In case of Difference as to Terms, Applicant may within Six Months petition the Court of Chancery.

XIII. And be it enacted, That where any Person has required a 30 compulsory Grant of the Perpetuity under this Act, and the said Provost, Fellows, and Scholars shall dispute the Right to such Grant, or in case the Person requiring such compulsory Grant and the said Provost, Fellows, and Scholars shall differ as to what Covenants, Conditions, Exceptions, Reservations, or Rent shall be contained in 35 such Grant, or as to what Sum shall be lodged for the Expenses thereof as aforesaid, or shall differ otherwise as to the Terms or Conditions of such compulsory Grant, or in case there is or are any Arrear of Rent, Fine or Fines, or Fees, which under this Act might be required to be paid before Execution of such compulsory 40 Grant under this Act, and the said Provost, Fellows, and Scholars refuse to accept Payment thereof, or differ as to the Amount so payable to them, and in any of such Cases, it shall be lawful for the Person

Persons entitled to demand such compulsory Grant in perpetuity within *Six Months* from the Time of his making the Demand for such compulsory Grant, but not afterwards, to apply to the Court of Chancery in Ireland, in a summary Way, by Petition, praying for
 5 such Relief as he may require; and every such Petition shall be entitled "In the Matter of the Trinity College, Dublin, Leasing and Perpetuity Act, ex parte the Person who presents such Petition;" and it shall state shortly such Matters, Deeds, and Circumstances as may be necessary, and as the Case may require; and every such
 10 Petition shall be verified by the Affidavit of the Person by whom the same is presented, or his Solicitor, or otherwise as the Court shall consider sufficient; and in all Cases under this Act it shall not be necessary to bring before the Court any Parties, other than the said Provost, Fellows, and Scholars, and the Person presenting such
 15 Petition, unless the Court shall otherwise direct.

XIV. And be it enacted, That upon the presenting of any such
 Petition it shall and may be lawful for the said Court and the
 respective Masters thereof to make Orders and Reports, and to adopt
 all and every such Proceedings as may be requisite for carrying this
 20 Act into effect, and for adjudicating upon and determining the Rights of the respective Parties, and for granting the Relief which to the Court shall seem fit, in as full and ample a Manner as the said Court and the said Masters thereof may now do in Plenary Suits; and all such Orders, Reports, and Proceedings shall be as effectual and
 25 binding, and be capable of being enforced in the same Manner, as if same were made in a Plenary Suit; and it shall not be necessary in any such Proceeding under this Act to present any subsequent Petition, further or otherwise than the same should or might be necessary if the Proceedings were had in a Plenary Suit.

Proceedings
on such
Petition.

XV. And be it enacted, That where the Person entitled to demand
 any such compulsory Grant of the Perpetuity shall be a Minor,
 Idiot, Lunatic, of unsound Mind, or Feme Covert, it shall and may
 be lawful for the Guardian, Trustee, or Committee of the Estate of
 such Minor, Idiot, or Lunatic, or for the next Friend of such Person
 30 of unsound Mind, or for the Husband of such Feme Covert, or herself by her next Friend, by such Petition as aforesaid, to apply for and obtain such Grant in perpetuity as aforesaid.

Case of
Minors, Feme
Coverts, and
Idiots, Lunatics.

XVI. And be it enacted, That upon such Petition being presented
 as aforesaid it shall and may be lawful for the said Court to order
 40 and direct to whom such compulsory Grant of the Perpetuity shall be made; and so soon as any final Order to that effect shall be made the said Provost, Fellows, and Scholars shall make and execute such

Order on
such Petition.

Grant in perpetuity to the Person so nominated by the said Court as aforesaid.

What Parties
to be subject
to the Court
thereon.

XVII. And be it enacted, That all Persons who shall become Parties to any Proceedings under this Act, by making any Application to the Court, or by submitting to the Jurisdiction thereof, or by attending 5 before the Master in the Course of such Proceedings, or by otherwise taking part therein, and the Representatives of the Petitioner and of such Persons, and all Persons claiming under him or them, by their Act or by Act of Law, subsequent to their becoming subject, shall for the Purposes of this Act be subject to the Jurisdiction of the 10 Court, and to all Orders of the Court and of the Master in the course of any such Proceedings, in like Manner and as fully as Parties to a Plenary Suit pending in the Court are so subject in such Case.

Proceedings
not to abate.

XVIII. And be it enacted, That the Proceedings under this Act shall not abate or be suspended by any Death or Transmission of 15 Interest, except so far as it shall be deemed necessary for the carrying on of such Proceedings that any Person not before the Court should have Notice of or be required to attend such Proceedings; and in case of Death or Transmission of Interest, and whenever after the Presentation of a Petition under this Act the Direction of the Court is 20 requisite for carrying on the Proceedings under the same, or for effecting the Objects thereof, or otherwise relative thereto, it shall be lawful for any Person interested in such Proceedings to apply by Motion to the Court for an Order for any such Purpose; and it shall be lawful for the Court, on such Motion, to make such Order as it 25 may deem fit.

Costs in the
Discretion of
Court.

XIX. And be it enacted, That the Costs of all Proceedings by and under any Petition presented under this Act shall be in the Discretion of the Court.

Provisions of
this Act to
extend to
such Cases.

XX. And be it enacted, That all the Provisions of this Act 30 in relation to the Amount of the Fee-farm Rent to be made payable by a Grant under this Act, and the Covenants, Conditions, Exceptions, and Reservations to be contained in such Grant, the Commutation of Exceptions, Reservations, and Rights, the Allocation of Land, and all other Provisions of this Act concerning such 35 Grant, and the Effect and Consequences thereof, shall, so far as the same are consistent with the Provisions of this Act in relation to the Proceedings by and under and consequential upon a Petition presented under this Act, extend and be applicable to any such Grant for or in relation to which a Petition is presented. 40

XXI. And

XXI. And be it enacted, That immediately after the Execution of any Lease or of any Grant of the Perpetuity as aforesaid under the Provisions of this Act, the said Lands and Premises in the said Lease or Grant mentioned, and the Term of Years, Estates, and Interests
 5 thereby so granted, shall thereupon respectively go to and be vested in, settled upon, and enjoyed by the same Person or Persons, for the like Estate, Estates, or Interests, and to and upon the same Uses, Trusts, Intents, and Purposes respectively, (or as near thereto as the Nature of each Case and the Difference of Interest will admit,) as the
 10 said Lands and Premises stood settled or limited to or for, or upon such of them as at the Time of making such Lease or Grant shall be existing undetermined and capable of taking effect.

The Lands granted to go to the same Uses as before.

XXII. And be it enacted, That the Execution of such Grant or Lease as aforesaid shall operate as and be deemed to be, to all
 15 Intents and Purposes, a Surrender of all and every the then previously subsisting Term or Terms of Years, Estate, or Interest in the said Lands and Premises derived from said Provost, Fellows, and Scholars, and the same and every of them shall thenceforth cease, determine, and be for ever extinguished.

Grants to operate as a Surrender of former Leases.

XXIII. And be it enacted, That whenever any immediate or superior Tenant or Lessee who shall have obtained any Grant or acquired the Perpetuity in any Lands, pursuant to the Provisions of this Act, shall, by virtue of any Lease, Covenant, or Contract there-
 20 tofore made or entered into, be bound by any toties quoties Clause of Renewal to renew to any other Person or Persons any Under-lease of any such Lands and Premises, then and in every such Case the said Grant of the Perpetuity as aforesaid of and in the said Lands and Premises as aforesaid to such immediate Tenant shall (so long as the said Estate or Interest thereby granted shall continue), in all
 30 Courts of Law and Equity, and to all Intents and Purposes whatsoever, as to such Under-tenant as aforesaid, or Person having such derivative Estate or Interest, and being entitled to the Benefit of such Covenant for Renewal, and as to all other derivative Estates or Interests in the said Lands and Premises dependent upon such Cove-
 35 nant, Contract, or Agreement for Renewal, be and be deemed, taken, and construed to be a Renewal from Time to Time of the Lease of such immediate and superior Tenant, so as to renew and preserve the Estate of such Under-tenant, and to and for all Intents and Purposes whatsoever.

In case of toties quoties Covenants to renew, the Grants to immediate Tenants to operate as Renewals as to derivative Tenants.

XXIV. And be it enacted, That when the Fine to be paid by the Under-tenant upon the Execution of any such Renewal as before mentioned shall have been, by such Covenant, Contract, or Agree-
 40 ment

Regulations as to Fines in such Cases.

ment for Renewal, agreed to be a certain or ascertained Proportion of or dependent upon the Amount of the Renewal Fine to be paid by the immediate superior Tenant of such Lands held by him under the said Provost, Fellows, and Scholars as aforesaid, then and in such case, and upon and after the Completion of the Grant of the 5 Perpetuity of and in the said Lands and Premises as aforesaid, the under or inferior Tenant shall pay or secure to such immediate or superior Tenant such Sum of Money as shall bear to the Fine paid or secured by such immediate or superior Tenant the same Proportion as the Renewal Fine theretofore payable by such Under-tenant 10 bore to the Renewal Fine theretofore payable by the said immediate or superior Tenant; and such Sum of Money shall be paid or secured to the said immediate or superior Tenant by the said Under-tenant, at his Option, in the like Manner as herein-before provided in respect of the Fine payable by such immediate or superior Tenant; and the 15 Rent to be paid by such Under-tenant shall be the Sum which shall bear to the Rent reserved in the Grant of the Perpetuity (irrespective of the Interest on any unpaid Fine) the same Proportion as the Rent and annual Renewal Fine formerly payable by such Under-tenant bore to the Rent and annual Renewal Fine payable by such 20 immediate or superior Tenant.

Provision as
to the Re-
version in
case of
Under-
leases.

XXV. And be it enacted, That when any new Lease or Grant of the Perpetuity shall have been obtained under this Act, and previously thereto the Lands therein comprised were held under the Person obtaining such new Lease or Grant of the Perpetuity by virtue of 25 any subsisting Under-lease or Demise at Will, the Estate created by such new Lease or Grant of the Perpetuity shall be held to be the Reversion immediately expectant upon such Under-lease or Demise, and the Rents and Services reserved and made payable upon such Under-lease or Demise shall be incident and annexed to such Rever- 30 sion; and the Covenants and Agreements, whether expressed or implied, upon the Part both of the Landlord and of the Tenant, shall run with the Land and with the Reversion respectively, in the same Manner in all respects and to the same Extent as if such Under-lease or Demise had been made by a Person seised or possessed of 35 the Estate created by such new Lease or Grant of the Perpetuity, and the said Estate thereby created had been the Reversion expectant upon such Under-lease or Demise; and such new Lease or Grant in Perpetuity shall not in anywise prejudice or affect any Right of Distress, Entry, or Action which has accrued in respect of such Under- 40 lease or Demise before the Execution of such new Lease or Grant of Perpetuity.

XXVI. And

XXVI. And be it enacted, That in case any Dispute or Difference shall arise between any immediate Tenant of the said College who may have obtained a Grant in Perpetuity under the Provisions of this Act and any Tenant holding under such immediate or superior
5 Tenant by virtue of any Lease, Covenant, or Contract containing a toties quoties Clause of Renewal, as to the Amount of the Fine to be paid or secured by such under Tenant to such immediate or superior Tenant, or as to the Amount of Rent to be payable by such under or inferior Tenant to such immediate or superior Tenant from and
10 after his obtaining such Grant in Perpetuity as aforesaid, that then and in every such Case it shall and may be lawful for either such immediate or superior Tenant or such under or inferior Tenant, between whom such Difference shall arise, to apply to the Court of Chancery in Ireland, in a summary Way, by Petition praying for such
15 Relief as he may require, in such Manner as herein-before provided in the Case of a Dispute or Difference arising between any such immediate or superior Tenant and said Provost, Fellows, and Scholars; and all the Provisions in respect to the Jurisdiction of said Court of Chancery herein-before contained in reference to any such Dispute or
20 Difference as last aforesaid shall extend and be applicable to any Dispute or Difference arising between any immediate or superior Tenant and any under or inferior Tenant as aforesaid; and it shall be lawful for such Court to order such inferior or under Tenant to pay to such superior or immediate Tenant such Interest on any
25 Renewal Fine or increased Rent paid by such superior or immediate Tenant as to such Court shall seem fit.

Petition to Court of Chancery in case of Disputes between immediate Tenants and Under-tenants.

XXVII. And be it enacted, That where any Fee-farm Rent made payable by any Grant under this Act is greater in Amount than the Rent reserved by the Lease which was subsisting immediately pre-
30 vious to the granting of such Perpetuity, and to the Owner of which such Grant is made, the Party paying such Rent shall not be entitled to deduct from the Party receiving the same any Poundage in respect of Poor's Rate from the Portion of such Rent which by virtue of this Act is added to the Amount of Rent previously payable, and whether
35 the same be payable by any immediate Tenant of the said College to the said College, or by any under Tenant to his immediate Landlord.

Deduction of Poor Rate as to increased Rent.

XXVIII. And be it enacted, That when and so soon as any Grant in Perpetuity shall be made by the said Provost, Fellows, and Scholars, under the Provisions of this Act, of any Lands in respect of
40 which Lands said Provost, Fellows, and Scholars are now by Law liable to pay the Rent-charge in lieu of Tithe, that then and in every such Case, from and immediately after the Execution of such Grant in Perpetuity, the said Provost, Fellows, and Scholars shall cease to

Rent-charge in lieu of Tithe, by whom to be paid.

be liable to the Payment of such Rent-charge, and the Grantee or Grantees in every such Grant of the Perpetuity shall thereupon become liable to pay the same ; and the Owners of such Rent-charge shall be entitled to all the Remedies for the Recovery of the same against such Grantees as they would have had against the said Provost, Fellows, and Scholars had not this Act been passed, any Law, Usage, or Custom to the contrary in anywise notwithstanding.

Dower and Curtesy in such Cases, and Royalties, Manorial Rights, &c.

XXIX. And be it enacted, That no Grant under this Act of any Estate shall operate to give Dower or Curtesy to the Widow or Husband of any Person becoming entitled under this Act to an Estate in Perpetuity, or to defeat or affect any Rights of the said Provost, Fellows, and Scholars as Lords of Manors or reputed Manors, or as Owners of Reversions in Fee Simple, to Courts Leet or Courts Baron, and Services at the same, Escheats, Fairs, Markets, Franchises, Rights, Liberties, Privileges of Chase or Free Warren, Hunting, Hawking, Fowling, Piscaries, Fisheries and Rights of Fishing, or to any Rights in any Mines or Minerals, Quarries, or to any Royalties whatsoever within or under the Lands included in any such Grant under this Act.

Operation of Devises and Bequests of such Lands.

XXX. And be it enacted, That the Grant of any Estate under this Act shall not prevent or prejudice the Operation of any Demise, Bequest, or testamentary Appointment made before such Conveyance of such Estate or Interest therein, but such Demise, Bequest, or testamentary Appointment shall operate upon the Estate or Interest created or acquired under this Act as fully and effectually to all Intents and Purposes whatever as the same would have operated upon the respective Estate or Interest previously subsisting if no such Grant had been made.

Usual Receivers Fees, &c. may be reserved in addition to Rents.

XXXI. And be it enacted, That in addition to the Rents to be reserved pursuant to the Provisions of this Act, it shall be lawful to reserve by the Leases or Grants made in pursuance of this Act such Receivers Fees or Poundage, not exceeding *One Shilling* in the Pound on the reserved Rent, as reserved in the previously existing Leases of said Lands, and also to reserve the usual and accustomed Achaties to which the said Provost, Fellows, and Scholars are now entitled, notwithstanding that by such Addition the Rent to be reserved in such Perpetuity Grants may exceed by *One Fifth* the Aggregate of the previous Rent or average Renewal Fines payable by such Tenant.

The Provisions as to Lands of the Provost,

XXXII. And be it enacted, That all and every the Provisions and Powers in this Act contained and given to the said Provost, Fellows, and Scholars, in respect of the Lands vested in them, shall be deemed applicable

applicable to the Provost for the Time being of the said College in respect of the Lands vested in him as such Provost, save that in estimating the Rent to be reserved in any Grant of the Perpetuity by the said Provost, Interest on any unpaid Fine shall not be included
 5 in the Manner herein-before mentioned: Provided also, that no Tenant to the said Provost for the Time being shall be entitled to demand or obtain from the said Provost for the Time being any such Grant in Perpetuity of any such Lands, unless such Tenant shall at the Time of obtaining such Grant have paid to the said Provost
 10 such Sum of Money as according to the present Mode of renewing would be payable by way of Fine, so as to obtain a fully renewed Lease for the Term of *Twenty-one* Years from the First Day of May next preceding his Application for such Grant, or shall have secured the said Sum, with Interest thereon at *Five* Pounds per Centum,
 15 to the said Provost, his Executors, Administrators, and Assigns, as a First Charge, by way of Mortgage on the Lands comprised in the said Grant, redeemable at the same Period as herein-before provided in respect of the Fine payable to the said Provost, Fellows, and Scholars.

Fellows, and Scholars of the College to apply also to the Lands vested in the Provost save as herein. Proviso as to Grants by the Provost.

XXXIII. And be it enacted, That from and after the *passing of*
 20 *this Act*, in addition to the present leasing Powers possessed by the Corporate Body of the Provost, Fellows, and Scholars of said College, it shall and may be lawful for the said Provost, Fellows, and Scholars, at all Times hereafter, by any Indenture under the Common Seal of the said College, to demise and lease any the said
 25 Lands or other the Hereditaments belonging to the said College heretofore usually demised unto any Person or Persons whomsoever, for any Term of Years absolute, not exceeding *Ninety-nine* Years, so as such Lease be made to take effect in possession, and not in reversion, remainder, expectancy, or by way of future Interest,
 30 and that for the granting of any such Lease no Fine, Foregift, Premium, or Consideration in Money or otherwise be given, promised, or accepted, and that in every such Lease (save as herein-after provided) there be reserved a Rent not less than the *Three Fourths* of the full average annual Value of the said Lands demised, com-
 35 munibus annis; and the Lessee to whom such Lease shall be made shall duly sign, seal, and deliver a Counterpart thereof, or otherwise such Lease to be null and void: Provided nevertheless, that when such Lease shall be made in consideration of the Surrender of a then existing Lease, it shall be lawful for the said Provost,
 40 Fellows, and Scholars, on the making of any such Lease, to reduce such Rent of not less than the *Three Fourths* of the full average annual Value by a reasonable Sum in consideration of the Value of such surrendered Lease, but such Reduction not to exceed such annual Sum as would be equivalent to Interest at the Rate of *Five*

Additional Powers to the College of leasing for 99 Years.

Pounds per Centum per Annum, on the Value of such surrendered Lease.

In case of
Leases un-
expired new
Leases in
Perpetuity
by the
College.

XXXIV. And be it enacted, That it shall and may be lawful for the said Provost, Fellows, and Scholars of said College, from Time to Time and at any Time hereafter, before the Expiration of the 5 Number of Years which at the Time of the coming of this Act into operation shall be required to complete the then unexpired Residue of the full Term of *Twenty-one* Years granted by any Lease in being at the Time of the passing of this Act, (whether such then existing Lease shall have been renewed after the passing of this Act 10 or not,) by Indenture under the Common Seal of the said College, to grant to their Tenants Leases in Perpetuity of all or any Part of the Lands comprised in such Leases or Renewals, at such Rent and upon such Terms as the said Provost, Fellows, and Scholars, and their Grantees, may determine, provided that such Grant be made to 15 take effect in immediate Possession; and that for granting of any such Lease in Perpetuity no Fine, Foregift, Premium, or Consideration in Money or otherwise be given, promised, or accepted, and that the Rent to be reserved therein [shall not be less than the aggregate Amount of the annual Rent reserved in such previous Lease or 20 Renewal and the annual Renewal Fines, to be determined as hereinafter provided, and that the said Indenture shall contain the usual Covenants for Re-entry and Distress upon Nonpayment of Rent; and the Grantee to whom such Grant shall be made shall duly sign, seal, and deliver a Counterpart thereof, or otherwise that such Grant shall 25 be null and void: Provided also, that upon the making of any such Grant in Perpetuity it shall be lawful for the said Provost, Fellows, and Scholars to accept Surrenders of the then existing Interests of such Tenants respectively.

Provision as
to Perpetui-
ties not to
extend to
Lands, &c.
in Dublin or
Wicklow.

XXXV. And be it enacted, That nothing in this Act contained, 30 so far as same relates to granting or obtaining Perpetuities, shall extend or be deemed to extend or apply to any Houses, Tenements, Lands or Premises belonging to the said Provost, Fellows, or Scholars which are situate within the City of Dublin or Town of Wicklow.

Provisions of
12 & 13 Vict.
c. 105. for
recovering of
Fee-farm
Rents, &c.
thereunder
to be appli-
cable to
Cases under
this Act.

XXXVI. And be it enacted, and it is hereby declared, That the 35 Provisions contained in an Act passed in the Twelfth and Thirteenth Years of the Reign of Her present Majesty, intituled "An Act for " converting the renewable Leasehold Tenure of Lands in Ireland " into a Tenure in Fee," for Recovery of the Fee-farm Rent made payable by any Grant under said Act, or by any Grant made after 40 the passing of said Act, and the Powers thereby given to certain Persons to redeem in Cases of Ejectment for Nonpayment of Rent of such

such Fee-farm Rents are to be deemed applicable and applied to all the Cases arising under this Act.

XXXVII. And be it enacted, That the following Words and Expressions in this Act shall have the Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; (that is to say,) Words importing the Singular Number only shall include the Plural Number, and Words importing the Plural Number only shall include the Singular Number; Words importing the Masculine Gender only shall include Females; the Word "Lands" shall extend to Messuages, Tenements, and Hereditaments situate in Ireland; the Word "Lease" shall include an Agreement for a Lease; the Word "Under-lease" shall include an Agreement for an Under-lease; and the Word "Covenant" shall include an Agreement; and the Word "Fine" shall include, not only a Sum of Money, but any Heriot, Matter, or Thing to be given or done upon or for or in consideration of the obtaining of any Renewal; and "the Court" shall mean the Court of Chancery in Ireland; and the Word "Master" shall mean a Master in Ordinary of said Court.

XXXVIII. And be it enacted, That this Act may be called "The Trinity College, Dublin, Leasing and Perpetuity Act," and the same shall be a sufficient Description thereof in citing this Act in other Acts of Parliament, or in legal Instruments or Pleadings; and the Rent reserved under any Grant in Perpetuity made under this Act may be called "Fee-farm Rent under the Trinity College, Dublin, Leasing and Perpetuity Act," and same shall be a sufficient Description thereof.

XXXIX. And be it enacted, That this Act shall be deemed a Public Act.

XL. And be it enacted, That this Act may be amended or repealed by any Act to be passed during this present Session of Parliament.

Trustee Act, 1850.

A

B I L L

INTITULED

An Act to consolidate and amend the
Laws relating to the Conveyance and
Transfer of Real and Personal Property
vested in Mortgagees and Trustees.

(Brought from the Lords 6 June 1850.)

*Ordered, by The House of Commons, to be Printed,
7 June 1850.*

427.

Under 3 oz.

Trustee Act, 1850.

ARRANGEMENT OF CLAUSES.

Preamble recites 11 G. 4. & 1 W. 4. c. 60., 4 & 5 W. 4. c. 23., and 1 & 2 Vict. c. 69.

Repeal of recited Acts, and Continuation of Proceedings ; Sect. 1.

Interpretation of Words ; 2.

Lord Chancellor may convey Estates of Lunatic Trustees and Mortgagees and contingent Rights, and may transfer Stock of Lunatic Trustees and Mortgagees ; 3—5.

Transfer of Stock of deceased Person ; 6.

Power of Court of Chancery with respect to Estates of Infant Trustees and Mortgagees, and contingent Rights of infant Trustees and Mortgagees ; 7, 8.

Court of Chancery may convey the Estate of a Trustee out of its Jurisdiction ; 9.

Order of Court in Cases where Persons are seised of Lands jointly with Parties out of Jurisdiction of Court of Chancery, &c. ; 10.

Contingent Rights of Trustees ; 11.

As to Order of Court where Persons are jointly entitled with others out of the Jurisdiction to a contingent Right in Lands ; 12.

For obviating Uncertainty as to the Survivor of several Trustees, and the Death of the last Trustee ; 13, 14.

Providing for Cases of Trustee dying without an Heir, and contingent Right of unborn Trustee ; 15, 16.

Power for Court of Chancery to convey in place of a refusing Trustee, in place of Person entitled to contingent Right, and in place of Mortgagee ; 17—19.

Power to appoint a Person to convey in all Cases ; 20.

As to Lands in Lancaster and Durham ; 21.

Proceeding when Trustees of Stock are out of the Jurisdiction of the Court ; 22.

Proceedings when sole Trustee of Stock refuses to transfer, and when any Trustee of Stock refuses to transfer or receive and pay over Dividends ; 23, 24.

- As to Stock standing in the Name of a deceased Person ; 25.
Effect of Orders vesting the legal Right to transfer Stock, and the legal Right in a Chose in Action ; 26, 27.
Effect of an Order appointing Persons to convey or assign Copyhold or Customary Lands ; 28.
As to contingent Rights when a Decree is made for Sale of Real Estate for Payment of Debts ; 29.
Court to declare what Parties are Trustees of Lands comprised in any Suit, and as to the Interests of Persons unborn ; 30.
Power to give Directions how the Right to Stock and Choses in Action shall be exercised ; 31.
Power to appoint new Trustees ; 32.
New Trustees to have the Powers of original Trustees ; 33.
Court may vest Lands, and Right to sue at Law, in new Trustees ; 34, 35.
Old Trustees not to be discharged from Liability ; 36.
Who may apply for Orders of Court ; 37.
Proceedings upon Application for Orders of Court ; 38—44.
Exercise of Powers of Act with respect to Trustees of Charities ; 45.
No Escheat of Property held upon Trust or Mortgage ; 46.
Act not to prevent Escheat and Recovery of beneficial Interest ; 47.
Money of Infants and Persons of unsound Mind to be paid into Court ; 48.
Court may make a Decree in the Absence of a Trustee after Search and Inquiry ; 49.
Powers of the Master ; 50.
Payment of Costs ; 51.
Lord Chancellor may issue Commission De lunatico inquirendo ; 52.
Suit may be directed before Order made ; 53.
Powers of Court of Chancery to extend to Property in the Colonies ; 54.
Equal Powers to Courts of Chancery in England and Ireland ; 55.
Powers of Court of Chancery and Court of Exchequer in Ireland ; 56.
Powers of Lord Chancellor in Lunacy to extend to Property in the Colonies ; 57.
Powers of Lord Chancellor in Lunacy may be exercised by Lord Chancellor of Ireland ; 58.
Short Title ; 59.
Amendment of Act ; 60.

7 June 1850. 13 VICT.



A

B I L L

INTITULED

An Act to consolidate and amend the Laws relating to the Conveyance and Transfer of Real and Personal Property vested in Mortgagees and Trustees.

WHEREAS an Act was passed in the First Year of the Preamble.
Reign of His late Majesty King William the Fourth, in-
tituled "An Act for amending the Laws respecting Con- 11 G. 4. &
veyances and Transfers of Estates and Funds vested in Trustees 1 W. 4. c. 60.
5 "and Mortgagees, and for enabling Courts of Equity to give Effect
"to their Decrees and Orders, in certain Cases:" And whereas an
Act was passed in the Fifth Year of the Reign of His late Majesty
King William the Fourth, intituled "An Act for the Amendment 4 & 5 W. 4.
"of the Law relative to the Escheat and Forfeiture of Real and c. 23.
10 "Personal Property holden in trust:" And whereas an Act was
passed in the Second Year of the Reign of Her present Majesty, in-
tituled "An Act to remove Doubts respecting Conveyances of 1 & 2 Vict.
"Estates vested in Heirs and Devisees of Mortgagees:" And c. 69.
15 whereas it is expedient that the Provisions of the said Acts should
be consolidated and enlarged: Be it therefore enacted by the Queen's
most Excellent Majesty, by and with the Advice and Consent of the
Lords Spiritual and Temporal, and Commons, in this present Parlia-
427. A ment

ment assembled, and by the Authority of the same, That all Proceedings under the said Acts or any of them commenced before the passing of this Act may be proceeded with under the said recited Acts, or according to the Provisions of this Act, as shall be thought expedient, and, subject as aforesaid, that the said recited Acts shall 5 be and the same are hereby repealed: Provided always, that the several Acts repealed by the said recited Acts shall not be revived, and that such Repeal shall only be on and after this Act coming into operation.

Interpreta-
tion Clause.

II. And whereas it is expedient to define the Meaning in which 10 certain Words are hereafter used; it is declared, That the several Words herein-after named are herein used and applied in the Manner following respectively; (that is to say,)

The Word "Lands" shall extend to and include Manors, Messuages, Tenements, and Hereditaments, corporeal and incorporeal, 15 of every Tenure or Description, whatever may be the Estate or Interest therein:

The Word "Stock" shall mean any Fund, Annuity, or Security transferable in Books kept by any Company or Society established or to be established, or transferable by Deed alone, 20 or by Deed accompanied by other Formalities, and any Share or Interest therein:

The Word "seised" shall be applicable to any vested Estate for Life, or of a greater Description, and shall extend to Estates at Law and in Equity, in possession or in futurity, in any Lands: 25

The Word "possessed" shall be applicable to any vested Estate less than a Life Estate, at Law or in Equity, in possession or in expectancy, in any Lands:

The Words "contingent Right," as applied to Lands, shall mean a contingent or executory Interest, a Possibility coupled with an 30 Interest, whether the Object of the Gift or Limitation of such Interest or Possibility be or be not ascertained, also a Right of Entry, whether immediate or future, and whether vested or contingent:

The Words "convey" and "Conveyance," applied to any Person, 35 shall mean the Execution by such Person of every necessary or suitable Assurance for conveying or disposing to another Lands whereof such Person is seised or entitled to a contingent Right, either for the whole Estate of the Person conveying or disposing, or for any less Estate, together with the Performance of all 40 Formalities required by Law to the Validity of such Conveyance, including the Acts to be performed by married Women and Tenants in Tail in accordance with the Provisions of an Act passed

passed in the Fourth Year of the Reign of His late Majesty King William the Fourth, intituled "An Act for the Abolition of Fines and Recoveries, and the Substitution of more simple Modes of Assurance," and including also Surrenders and other Acts which a Tenant of Customary or Copyhold Lands can himself perform preparatory to or in aid of a complete Assurance of such Customary or Copyhold Lands :

The Words "assign" and "Assignment" shall mean the Execution and Performance by a Person of every necessary or suitable Deed or Act for assigning, surrendering, or otherwise transferring Lands of which such Person is possessed, either for the whole Estate of the Person so possessed or for any less Estate :

The Word "transfer" shall mean the Execution and Performance of every Deed and Act by which a Person entitled to Stock can transfer such Stock from himself to another :

The Words "Lord Chancellor" shall mean as well the Lord Chancellor of Great Britain as any Lord Keeper or Lords Commissioners of the Great Seal for the Time being :

The Words "Lord Chancellor of Ireland" shall mean as well the Lord Chancellor of Ireland as any Keeper or Lords Commissioners of the Great Seal of Ireland for the Time being :

The Word "Trust" shall not mean the Duties incident to an Estate conveyed by way of Mortgage ; but, with this Exception, the Words "Trust" and "Trustee" shall extend to and include implied and constructive Trusts, and shall extend to and include Cases where the Trustee has some beneficial Estate or Interest in the Subject of the Trust, and shall extend to and include the Duties incident to the Office of Personal Representative of a deceased Person :

The Word "Lunatic" shall mean any Person who shall have been found to be a Lunatic upon a Commission of Inquiry in the Nature of a Writ De lunatico inquirendo :

The Expression "Person of unsound Mind" shall mean any Person, not an Infant, who, not having been found to be a Lunatic, shall be incapable from Infirmary of Mind to manage his own Affairs :

The Word "Devisee" shall, in addition to its ordinary Signification, mean the Heir of a Devisee and the Devisee of an Heir, and generally any Person claiming an Interest in the Lands of a deceased Person, not as Heir of such deceased Person, but by a Title dependent solely upon the Operation of the Laws concerning Devise and Descent :

The Word "Mortgage" shall be applicable to every Estate, Interest, or Property in Lands or Personal Estate which would in a Court of Equity be deemed merely a Security for Money :

The Word "Person" used and referred to in the Masculine Gender shall include a Female as well as a Male, and shall include a Body Corporate :

And generally, unless the contrary shall appear from the Context, every Word importing the Singular Number only shall extend to several Persons or Things, and every Word importing the Plural Number shall apply to one Person or Thing, and every Word importing the Masculine Gender only shall extend to a Female.

Lord Chan-
cellor may
convey
Estates of
Lunatic
Trustees and
Mortgagees ;

III. And be it enacted, That when any Lunatic or Person of unsound Mind shall be seised or possessed of any Lands upon any Trust or by way of Mortgage, it shall be lawful for the Lord Chancellor, intrusted by virtue of the Queen's Sign Manual with the Care of the Persons and Estates of Lunatics, to make an Order that such Lands be vested in such Person or Persons in such Manner and for such Estate as he shall direct ; and the Order shall have the same Effect as if the Trustee or Mortgagee had been sane, and had duly executed a Conveyance or Assignment of the Lands in the same Manner for the same Estate.

may convey
contingent
Rights.

IV. And be it enacted, That when any Lunatic or Person of unsound Mind shall be entitled to any contingent Right in any Lands upon any Trust or by way of Mortgage, it shall be lawful for the Lord Chancellor, intrusted as aforesaid, to make an Order wholly releasing such Lands from such contingent Right, or disposing of the same to such Person or Persons as the said Lord Chancellor shall direct ; and the Order shall have the same Effect as if the Trustee or Mortgagee had been sane, and had duly executed a Deed so releasing or disposing of the contingent Right.

Lord Chan-
cellor may
transfer
Stock of
Lunatic
Trustees and
Mortgagees.

V. And be it enacted, That when any Lunatic or Person of unsound Mind shall be solely entitled to any Stock or to any Chose in Action upon any Trust or by way of Mortgage, it shall be lawful for the Lord Chancellor, intrusted as aforesaid, to make an Order vesting in any Person or Persons the Right to transfer such Stock, or to receive the Dividends or Income thereof, or to sue for and recover such Chose in Action, or any Interest in respect thereof ; and when any Person or Persons shall be entitled jointly with any Lunatic or Person of unsound Mind to any Stock or Chose in Action upon any Trust or by way of Mortgage, it shall be lawful for the said Lord Chancellor to make an Order vesting the Right to transfer such Stock, or to receive the Dividends or Income thereof, or to sue for and recover such Chose in Action, or any Interest in respect thereof, either in such Person or Persons so jointly entitled as aforesaid, or in such last-

last-mentioned Person or Persons together with any other Person or Persons the said Lord Chancellor may appoint.

VI. And be it enacted, That when any Stock shall be standing in the Name of any deceased Person whose personal Representative is a Lunatic or Person of unsound Mind, or when any Chose in Action shall be vested in any Lunatic or Person of unsound Mind as the personal Representative of a deceased Person, it shall be lawful for the Lord Chancellor, intrusted as aforesaid, to make an Order vesting the Right to transfer such Stock, or to receive the Dividends or Income thereof, or to sue for and recover such Chose in Action or any Interest in respect thereof, in any Person or Persons he may appoint.

Power to transfer Stock of deceased Person.

VII. And be it enacted, That where any Infant shall be seised or possessed of any Lands upon any Trust or by way of Mortgage, it shall be lawful for the Court of Chancery to make an Order vesting such Lands in such Person or Persons in such Manner and for such Estate as the said Court shall direct; and the Order shall have the same Effect as if the infant Trustee or Mortgagee had been Twenty-one Years of Age, and had duly executed a Conveyance or Assignment of the Lands in the same Manner for the same Estate.

Court of Chancery may convey Estates of infant Trustees and Mortgagees.

VIII. And be it enacted, That where any Infant shall be entitled to any contingent Right in any Lands upon any Trust or by way of Mortgage, it shall be lawful for the Court of Chancery to make an Order wholly releasing such Lands from such contingent Right, or disposing of the same to such Person or Persons as the said Court shall direct; and the Order shall have the same Effect as if the Infant had been Twenty-one Years of Age, and had duly executed a Deed so releasing or disposing of the contingent Right.

Contingent Rights of infant Trustees and Mortgagees.

IX. And be it enacted, That when any Person solely seised or possessed of any Lands upon any Trust shall be out of the Jurisdiction of the Court of Chancery, or cannot be found, it shall be lawful for the said Court to make an Order vesting such Lands in such Person or Persons in such Manner and for such Estate as the said Court shall direct; and the Order shall have the same Effect as if the Trustee had duly executed a Conveyance or Assignment of the Lands in the same Manner and for the same Estate.

Court of Chancery may convey the Estate of a Trustee out of the Jurisdiction of the Court.

X. And be it enacted, That when any Person or Persons shall be seised or possessed of any Lands jointly with a Person out of the Jurisdiction of the Court of Chancery, or who cannot be found, it shall be lawful for the said Court to make an Order vesting such Lands in such Person or Persons in such Manner and for such Estate as the said Court shall direct; and the Order shall have the same Effect as if the Trustee had duly executed a Conveyance or Assignment of the Lands in the same Manner and for the same Estate.

Court may make Order in Cases where Persons are

seised of
Lands jointly
with Parties
out of Juris-
diction of
Court, &c.

shall be lawful for the said Court to make an Order vesting the Lands in the Person or Persons so jointly seised or possessed, or in such last-mentioned Person or Persons together with any other Person or Persons, in such Manner and for such Estate as the said Court shall direct; and the Order shall have the same Effect as if the 5
Trustee out of the Jurisdiction, or who cannot be found, had duly executed a Conveyance or Assignment of the Lands in the same Manner for the same Estate.

Contingent
Rights of
Trustees.

XI. And be it enacted, That when any Person solely entitled to a contingent Right in any Lands upon any Trust shall be out of 10
the Jurisdiction of the Court of Chancery, or cannot be found, it shall be lawful for the said Court to make an Order wholly releasing such Lands from such contingent Right, or disposing of the same to such Person or Persons as the said Court shall direct; and the Order shall have the same Effect as if the Trustee had duly executed a 15
Conveyance so releasing or disposing of the contingent Right.

Court may
make Order
in Cases
where Per-
sons are
jointly enti-
tled with
others out
of the Juris-
diction of the
Court to a
contingent
Right in
Lands.

XII. And be it enacted, That when any Person jointly entitled with any other Person or Persons to a contingent Right in any Lands upon any Trust shall be out of the Jurisdiction of the Court of Chancery or cannot be found, it shall be lawful for the said Court to 20
make an Order disposing of the contingent Right of the Person out of the Jurisdiction, or who cannot be found, to the Person or Persons so jointly entitled as aforesaid, or to such last-mentioned Person or Persons together with any other Person or Persons; and the Order shall have the same Effect as if the Trustee out of the Jurisdiction, 25
or who cannot be found, had duly executed a Conveyance so releasing or disposing of the contingent Right.

When it is
uncertain
which of se-
veral Trus-
tees was the
Survivor.

XIII. And be it enacted, That where there shall have been Two or more Persons jointly seised or possessed of any Lands upon any Trust, and it shall be uncertain which of such Trustees was the 30
Survivor, it shall be lawful for the Court of Chancery to make an Order vesting such Lands in such Person or Persons in such Manner and for such Estate as the said Court shall direct; and the Order shall have the same Effect as if the Survivor of such Trustees had duly executed a Conveyance or Assignment of the Lands in the same 35
Manner for the same Estate.

When it is
uncertain
whether the
last Trustee
be living or
dead.

XIV. And be it enacted, That where any One or more Person or Persons shall have been seised or possessed of any Lands upon any Trust, and it shall not be known, as to the Trustee last known to have been seised or possessed, whether he be living or dead, it shall 40
be lawful for the Court of Chancery to make an Order vesting such
Lands

Lands in such Person or Persons in such Manner and for such Estate as the said Court shall direct; and the Order shall have the same Effect as if the last Trustee had duly executed a Conveyance or Assignment of the Lands in the same Manner for the same Estate.

- 5 XV. And be it enacted, That when any Person seised of any Lands upon any Trust shall have died intestate as to such Lands without an Heir, or shall have died and it shall not be known who is his Heir or Devisee, it shall be lawful for the Court of Chancery to make an Order vesting such Lands in such Person or
10 Persons in such Manner and for such Estate as the said Court shall direct; and the Order shall have the same Effect as if the Heir or Devisee of such Trustee had duly executed a Conveyance of the Lands in the same Manner for the same Estate.

When Trustee dies without an Heir.

- XVI. And be it enacted, That when any Lands are subject to a
15 contingent Right in an unborn Person or Class of unborn Persons who upon coming into existence would in respect thereof become seised or possessed of such Lands upon any Trust, it shall be lawful for the Court of Chancery to make an Order which shall wholly release and discharge such Lands from such contingent Right in such
20 unborn Person or Class of unborn Persons, or to make an Order which shall vest in any Person or Persons the Estate or Estates which such unborn Person or Class of unborn Persons would upon coming into existence be seised or possessed of in such Lands.

Contingent Right of unborn Trustee.

- XVII. And be it enacted, That where any Person jointly or solely
25 seised or possessed of any Lands upon any Trust, shall after a Demand by a Person entitled to require a Conveyance or Assignment of such Lands, or a duly authorized Agent of such last-mentioned Person, have stated in Writing that he will not convey or assign the same, or shall neglect or refuse to convey or assign such
30 Lands for the Space of Twenty-eight Days next after a proper Deed for conveying or assigning the same shall have been tendered to him by any Person entitled to require the same, or by a duly authorized Agent of such last-mentioned Person, it shall be lawful for the Court of Chancery to make an Order vesting such Lands
35 in such Person or Persons in such Manner and for such Estate as the said Court shall direct; and the Order shall have the same Effect as if the Trustee had duly executed a Conveyance or Assignment of the Lands in the same Manner for the same Estate,

Power to convey in place of a refusing Trustee.

- XVIII. And be it enacted, That where any Person jointly or solely
40 entitled to a contingent Right in any Lands upon any Trust shall, after a Demand for a Conveyance or Release of such contingent Right by a Person entitled to require the same, or a duly authorized Agent of such
491.

Power to convey in Place of Person entitled to contingent Right.

such last-mentioned Person, have stated in Writing that he will not convey or release such contingent Right, or shall neglect or refuse to convey or release such contingent Right for the Space of Twenty-eight Days next after a proper Deed for conveying or releasing the same shall have been tendered to him by any Person entitled to 5 require the same, or by a duly authorized Agent of such last-mentioned Person, it shall be lawful for the Court of Chancery to make an Order releasing or disposing of such contingent Right in such Manner as it shall direct; and the Order shall have the same Effect as if the Trustee so neglecting or refusing had duly executed a 10 Conveyance so releasing or disposing of the contingent Right.

Power to
convey in
place of
Mortgagee.

XIX. And be it enacted, That when any Person to whom any Lands have been conveyed by way of Mortgage shall have died without having entered into the Possession or into the Receipt of the Rents and Profits thereof, and the Money due in respect of such 15 Mortgage shall have been paid to a Person entitled to receive the same, or such last-mentioned Person shall consent to an Order for the Reconveyance of such Lands, then in any of the following Cases it shall be lawful for the Court of Chancery to make an Order vesting such Lands in such Person or Persons in such Manner and for such 20 Estate as the said Court shall direct; that is to say,

When an Heir or Devisee of such Mortgagee shall be out of the Jurisdiction of the Court of Chancery, or cannot be found :

When an Heir or Devisee of such Mortgagee shall, upon a Demand by a Person entitled to require a Conveyance of such Lands or a 25 duly authorized Agent of such last-mentioned Person, have stated in Writing that he will not convey the same, or shall not convey the same for the Space of Twenty-eight Days next after a proper Deed for conveying such Lands shall have been tendered to him by a Person entitled as aforesaid, or a duly authorized Agent of 30 such last-mentioned Person :

When it shall be uncertain which of several Devisees of such Mortgagee was the Survivor :

When it shall be uncertain as to the Survivor of several Devisees of such Mortgagee, or as to the Heir of such Mortgagee whether 35 he be living or dead :

When such Mortgagee shall have died intestate as to such Lands, and without an Heir, or shall have died and it shall not be known who is his Heir or Devisee :

And the Order of the said Court of Chancery made in any one of 40 the foregoing Cases shall have the same Effect as if the Heir or Devisee or surviving Devisee, as the Case may be, had duly executed a Conveyance or Assignment of the Lands in the same Manner and for the same Estate.

XX. And

XX. And be it enacted, That in every Case where the Lord Chancellor intrusted as aforesaid, or the Court of Chancery, shall, under the Provisions of this Act, be enabled to make an Order having the Effect of a Conveyance or Assignment of any Lands, 5 or having the Effect of a Release or Disposition of the contingent Right of any Person or Persons born or unborn, it shall also be lawful for the Lord Chancellor intrusted as aforesaid, or the Court of Chancery, (as the Case may be,) should it be deemed more convenient, to make an Order appointing a Person to convey or assign such Lands, 10 or release or dispose of such contingent Right ; and the Conveyance or Assignment, or Release or Disposition, of the Person so appointed, shall, when in conformity with the Terms of the Order by which he is appointed, have the same Effect in conveying or assigning the Lands, or releasing or disposing of the contingent Right, as an Order 15 of the Lord Chancellor intrusted as aforesaid, or the Court of Chancery, would in the particular Case have had under the Provisions of this Act ; and in every Case where the Lord Chancellor intrusted as aforesaid, or the Court of Chancery, shall under the Provisions of this Act be enabled to make an Order vesting in any Person or 20 Persons the Right to transfer any Stock transferable in the Books of the Governor and Company of the Bank of England, or of any other Company or Society established or to be established, it shall also be lawful for the Lord Chancellor intrusted as aforesaid, or the Court of Chancery, if it be deemed more convenient, to make an Order directing the Secretary, Deputy Secretary, or Accountant General for the 25 Time being of the Governor and Company of the Bank of England, or any Officer of such other Company or Society, at once to transfer or join in transferring the Stock to the Person or Persons to be named in the Order ; and this Act shall be a full and complete Indemnity 30 and Discharge to the Governor and Company of the Bank of England, and all other Companies or Societies, and their Officers and Servants, for all Acts done or permitted to be done pursuant thereto.

Power to
appoint a
Person to
convey in
certain Cases.

XXI. And be it enacted, That as to any Lands situated within the Duchy of Lancaster or the Counties Palatine of Lancaster or 35 Durham, it shall be lawful for the Court of the Duchy Chamber of Lancaster, the Court of Chancery in the County Palatine of Lancaster, or the Court of Chancery in the County Palatine of Durham, to make a like Order in the same Cases as to any Lands within the Jurisdiction of the same Courts respectively as the Court of 40 Chancery has under the Provisions herein-before contained been enabled to make concerning any Lands ; and every such Order of the Court of the Duchy Chamber of Lancaster, the Court of Chancery in the County Palatine of Lancaster, or the Court of Chancery in the County Palatine of Durham, shall, as to such 491. C Lands,

As to Lands
in Lancaster
and Durham.

Lands, have the same Effect as an Order of the Court of Chancery: Provided always, that no Person who is anywhere within the Limits of the Jurisdiction of the High Court of Chancery shall be deemed by such local Courts to be an absent Trustee or Mortgagee within the Meaning of this Act. 5

When Trustees of Stock out of the Jurisdiction.

XXII. And be it enacted, That when any Person or Persons shall be jointly entitled with any Person out of the Jurisdiction of the Court of Chancery, or who cannot be found, or concerning whom it shall be uncertain whether he be living or dead, to any Stock or Chose in Action upon any Trust, it shall be lawful for the said Court 10 to make an Order vesting the Right to transfer such Stock, or to receive the Dividends or Income thereof, or to sue for or recover such Chose in Action, or any Interest in respect thereof, either in such Person or Persons so jointly entitled as aforesaid, or in such last-mentioned Person or Persons together with any Person or Persons 15 the said Court may appoint; and when any sole Trustee of any Stock or Chose in Action shall be out of the Jurisdiction of the said Court, or cannot be found, or it shall be uncertain whether he be living or dead, it shall be lawful for the said Court to make an Order vesting the Right to transfer such Stock, or to receive the 20 Dividends or Income thereof, or to sue for and recover such Chose in Action, or any Interest in respect thereof, in any Person or Persons the said Court may appoint.

When Trustee of Stock refuses to transfer.

XXIII. And be it enacted, That where any sole Trustee of any Stock or Chose in Action shall neglect or refuse to transfer such 25 Stock, or to receive the Dividends or Income thereof, or to sue for or recover such Chose in Action, or any Interest in respect thereof, according to the Direction of the Person absolutely entitled thereto, for the Space of Twenty-eight Days next after a Request in Writing for that Purpose shall have been made to him by the Person absolutely 30 entitled thereto, it shall be lawful for the Court of Chancery to make an Order vesting the sole Right to transfer such Stock, or to receive the Dividends or Income thereof, or to sue for and recover such Chose in Action, or any Interest in respect thereof, in such Person or Persons as the said Court may appoint. 35

When One of several Trustees of Stock refuses to transfer or receive and pay over Dividends.

XXIV. And be it enacted, That where any one of the Trustees of any Stock or Chose in Action shall neglect or refuse to transfer such Stock, or to receive the Dividends or Income thereof, or to sue for 40 or recover such Chose in Action according to the Directions of the Person absolutely entitled thereto, for the Space of Twenty-eight Days next after a Request in Writing for that Purpose shall have been made to him or her by such Person, it shall be lawful for the Court of Chancery

Chancery to make an Order vesting the Right to transfer such Stock, or to receive the Dividends or Income thereof, or to sue for and recover such Chose in Action, in the other Trustee or Trustees of the said Stock or Chose in Action, or in any Person or Persons whom the said Court may appoint jointly with such other Trustee or Trustees.

XXV. And be it enacted, That when any Stock shall be standing in the sole Name of a deceased Person, and his or her personal Representative shall be out of the Jurisdiction of the Court of Chancery, or cannot be found, or it shall be uncertain whether such personal Representative be living or dead, or such personal Representative shall neglect or refuse to transfer such Stock, or receive the Dividends or Income thereof, according to the Direction of the Person absolutely entitled thereto, for the Space of Twenty-eight Days next after a Request in Writing for that Purpose shall have been made to him by the Person entitled as aforesaid, it shall be lawful for the Court of Chancery to make an Order vesting the Right to transfer such Stock, or to receive the Dividends or Income thereof, in any Person or Persons whom the said Court may appoint.

When Stock is standing in the Name of a deceased Person.

XXVI. And be it enacted, That where any Order shall have been made under any of the Provisions of this Act vesting the Right to any Stock in any Person or Persons appointed by the Lord Chancellor intrusted as aforesaid, or the Court of Chancery, such legal Right shall vest accordingly, and thereupon the Person or Persons so appointed are hereby authorized and empowered to execute all Deeds and Powers of Attorney, and to perform all Acts relating to the Transfer of such Stock into his or their own Name or Names or otherwise, or relating to the Receipt of the Dividends thereof, to the Extent, and in conformity with the Terms of such Order; and the Bank of England, and all Companies and Associations whatever, and all Persons, shall be equally bound and compellable to comply with the Requisitions of such Person or Persons so appointed as aforesaid, to the Extent and in conformity with the Terms of such Order as the said Bank of England, or such Companies, Associations, or Persons, would have been bound and compellable to comply with the Requisitions of the Person in whose Place such Appointment shall have been made, and shall be equally indemnified in complying with the Requisition of such Person or Persons so appointed as they would have been indemnified in complying with the Requisition of the Person in whose Place such Appointment shall have been made; and after Notice in Writing of any such Order of the Lord Chancellor intrusted as aforesaid, or of the Court of Chancery, concerning any Stock, shall have been given, it

Effect of an Order vesting the legal Right to transfer Stock.

it shall not be lawful for the Bank of England, or any Company or Association whatever, or any Person having received such Notice, to act upon the Requisition of the Person in whose Place an Appointment shall have been made in any Matter whatever relating to the Transfer of such Stock, or the Payment of the Dividends or Produce 5 thereof.

Effect of an Order vesting legal Right in a Chose in Action.

XXVII. And be it enacted, That where any Order shall have been made under the Provisions of this Act, either by the Lord Chancellor intrusted as aforesaid, or by the Court of Chancery, vesting the legal Right to sue for or recover any Chose in Action or any Interest 10 in respect thereof in any Person or Persons, such legal Right shall vest accordingly, and thereupon it shall be lawful for the Person or Persons so appointed to carry on, commence, and prosecute, in his or their own Name or Names, any Action, Suit, or other Proceeding at Law or in Equity for the Recovery of such Chose in Action, in the 15 same Manner in all respects as the Person in whose Place an Appointment shall have been made could have sued for or recovered such Chose in Action.

Effect of an Order vesting Copyhold Lands, or appointing any Person to convey Copyhold Lands.

XXVIII. And be it enacted, That whensoever, under any of the Provisions of this Act, an Order shall be made, either by the Lord 20 Chancellor intrusted as aforesaid or the Court of Chancery, vesting any Copyhold or Customary Lands in any Person or Persons, and such Order shall be made with the Consent of the Lord or Lady of the Manor whereof such Lands are holden, then the Lands shall, without any Surrender or Admittance in respect thereof, vest accord- 25 ingly; and whensoever, under any of the Provisions of this Act, an Order shall be made either by the Lord Chancellor intrusted as aforesaid or the Court of Chancery, appointing any Person or Persons to convey or assign any Copyhold or Customary Lands, it shall be lawful for such Person or Persons to do all Acts and execute all 30 Instruments for the Purpose of completing the Assurance of such Lands; and all such Acts and Instruments so done and executed shall have the same Effect, and every Lord and Lady of a Manor, and every other Person, shall, subject to the Customs of the Manor and the usual Payments, be equally bound and compellable to make 35 Admittance to such Lands, and to do all other Acts for the Purpose of completing the Assurance thereof, as if the Persons in whose Place an Appointment shall have been made, being free from any Disability, had duly done and executed such Acts and Instruments.

When a Decree is made for Sale of Real

XXIX. And be it enacted, That when a Decree shall have been 40 made by any Court of Equity directing the Sale of any Lands for the Payment of the Debts of a deceased Person, every Person seised

seised or possessed of such Lands, or entitled to a contingent Right therein, as Heir, or under the Will of such deceased Debtor, shall be deemed to be so seised or possessed or entitled, as the Case may be, upon a Trust within the Meaning of this Act; and the Court of Chancery is hereby empowered to make an Order wholly discharging the contingent Right, under the Will of such deceased Debtor, of any unborn Person.

Estate for Payment of Debts.

XXX. And be it enacted, That where any Decree shall be made by any Court of Equity for the specific Performance of a Contract concerning any Lands, or for the Partition or Exchange of any Lands, or generally when any Decree shall be made for the Conveyance or Assignment of any Lands, either in Cases arising out of the Doctrine of Election or otherwise, it shall be lawful for the said Court to declare that any of the Parties to the said Suit wherein such Decree is made are Trustees of such Lands or any Part thereof, within the Meaning of this Act, or to declare concerning the Interests of unborn Persons who might claim under any Party to the said Suit, or under the Will or voluntary Settlement of any Person deceased who was during his Lifetime a Party to the Contract or Transactions concerning which such Decree is made, that such Interests of unborn Persons are the Interests of Persons who, upon coming into existence, would be Trustees within the Meaning of this Act, and thereupon it shall be lawful for the Lord Chancellor intrusted as aforesaid, or the Court of Chancery, as the Case may be, to make such Order or Orders as to the Estates, Rights, and Interests of such Persons, born or unborn, as the said Court or the said Lord Chancellor might under the Provisions of this Act make concerning the Estates, Rights, and Interests of Trustees born or unborn.

Court to declare what Parties are Trustees of Lands comprised in any Suit, and as to the Interests of Persons unborn.

XXXI. And be it enacted, That it shall be lawful for the Lord Chancellor intrusted as aforesaid, or the Court of Chancery, to make Declarations and give Directions concerning the Manner in which the Right to any Stock or Chose in Action vested under the Provisions of this Act shall be exercised; and thereupon the Person or Persons in whom such Right shall be vested shall be compellable to obey such Directions and Declarations by the same Process as that by which other Orders under this Act are enforced.

Power to make Directions how the Right to transfer Stock to be exercised.

XXXII. And be it enacted, That whenever it shall be expedient to appoint a new Trustee or new Trustees, and it shall be found inexpedient, difficult, or impracticable so to do without the Assistance of the Court of Chancery, it shall be lawful for the said Court of Chancery to make an Order appointing a new Trustee or new Trustees

Power to Court to make Order appointing new Trustees.

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either

either in substitution for or in addition to any existing Trustee or Trustees.

The new Trustees to have the Powers of the original Trustees.

XXXIII. And be it enacted, That the Person or Persons who, upon the making of such Order as last aforesaid, shall be Trustee or Trustees, shall have all the same Rights and Powers as were conferred 5 on the original Trustee or Trustees.

Power to Court to vest Lands in new Trustees.

XXXIV. And be it enacted, That it shall be lawful for the said Court of Chancery, upon making any Order for appointing a new Trustee or new Trustees, either by the same or by any subsequent Order to direct that any Lands subject to the Trust shall vest in 10 the Person or Persons who upon the Appointment shall be the Trustee or Trustees, for such Estate as the Court shall direct; and such Order shall have the same Effect as if the Person or Persons who before such Order were the Trustee or Trustees (if any) had duly executed all proper Conveyances and Assignments of such Lands 15 for such Estate.

Power to Court to vest Right to sue at Law in new Trustees.

XXXV. And be it enacted, That it shall be lawful for the said Court of Chancery, upon making any Order for appointing a new Trustee or new Trustees, either by the same or by any subsequent Order, to vest the Right to call for a Transfer of any Stock subject 20 to the Trust, or to receive the Dividends or Income thereof, or to sue for or recover any Chose in Action, subject to the Trust, or any Interest in respect thereof, in the Person or Persons who upon the Appointment shall be the Trustee or Trustees.

Old Trustees not to be discharged from Liability.

XXXVI. And be it enacted, That any such Appointment by the 25 Court of new Trustees, and any such Conveyance, Assignment, or Transfer as aforesaid, shall operate no further or otherwise as a Discharge to any former or continuing Trustee than an Appointment of new Trustees under any Power for that Purpose contained in any Instrument would have done. 30

Who may apply.

XXXVII. And be it enacted, That an Order, under any of the herein-before contained Provisions, for the Appointment of a new Trustee or Trustees, or concerning any Lands, Stock, or Chose in Action subject to a Trust, may be made upon the Application of any Person beneficially interested in such Lands, Stock, or Chose 35 in Action, whether under Disability or not, or upon the Application of any Person duly appointed as a Trustee thereof; and that an Order under any of the Provisions herein-before contained concerning any Lands, Stock, or Chose in Action subject to a Mortgage may be made on the Application of any Person beneficially interested 40 in

in the Equity of Redemption, whether under Disability or not, or of any Person interested in the Monies secured by such Mortgage.

XXXVIII. And be it enacted, That when any Person shall deem himself entitled to an Order under any of the Provisions herein-
 5 before contained, either from the Lord Chancellor intrusted as aforesaid, or from the Court of Chancery, it shall be lawful for him to exhibit before any One of the Masters of the High Court of Chancery Evidence in support of the Facts, whereon such Order is sought to be obtained; and if such Evidence shall be satisfactory to the said
 10 Master he shall, at the Request of the Person adducing such Evidence, give a Certificate under his Hand of the several material Facts found by him to be true, and of his Opinion that such Person is entitled to an Order in the Form set forth in such Certificate.

Power to go before the Master in the first instance.

XXXIX. And be it enacted, That any Person who shall have
 15 obtained such Certificate may apply by Motion to the Lord Chancellor or the Master of the Rolls, or to the Lord Chancellor intrusted as aforesaid, for an Order to the Effect set forth in such Certificate, or for such other Order as such Person may deem himself entitled to upon the Facts found by the Master.

Power to petition the Court or the Lord Chancellor.

XL. And be it enacted, That any Person or Persons entitled in manner aforesaid to apply for an Order from the said Court of Chancery, or from the Lord Chancellor intrusted as aforesaid, may, should he so think fit, present a Petition in the first instance to the Court of Chancery, or to the Lord Chancellor intrusted as aforesaid,
 25 for such Order as he may deem himself entitled to, and may give Evidence by Affidavit or otherwise in support of such Petition before the said Court, or the Lord Chancellor intrusted as aforesaid, and may serve such Person or Persons with Notice of such Petition as he may deem entitled to Service thereof.

Power to present Petition in the first instance.

XLI. And be it enacted, That upon the Hearing of any such Motion or Petition it shall be lawful for the said Court or for the said Lord Chancellor, should it be deemed necessary, to direct a Reference to one of the Masters in Ordinary of the Court of Chancery to inquire into any Facts which require such an Investigation,
 35 or it shall be lawful for the said Court or for the said Lord Chancellor to direct such Motion or Petition to stand over, to enable the Petitioner or Petitioners to adduce Evidence or further Evidence before the said Court or before the said Lord Chancellor, or to enable Notice or any further Notice of such Petition to be served upon any Person
 40 or Persons.

What may be done upon Petition.

Court may
dismiss Peti-
tion with
or without
Costs.

XLII. And be it enacted, That upon the Hearing of any such Motion or Petition, whether any Certificate or Report from a Master shall have been obtained or not, it shall be lawful for the Court, or the Lord Chancellor intrusted as aforesaid, to dismiss such Motion or Petition, with or without Costs, or to make an Order thereupon in conformity with the Provisions of this Act. 5

Power to
make an
Order in a
Cause.

XLIII. And be it enacted, That whensoever in any Cause or Matter, either by the Evidence adduced therein, or by the Admissions of the Parties, or by a Report of one of the Masters of the Court of Chancery, the Facts necessary for an Order under this Act shall appear to such Court to be sufficiently proved, it shall be lawful for the said Court, either upon the Hearing of the said Cause, or of any Petition or Motion in the said Cause or Matter, to make such Order under this Act. 10

CLAUSE A.
Orders made
by the Court
of Chancery,
founded on
certain Alle-
gations, to be
conclusive
Evidence
of the Matter
contained in
such Alle-
gations.

XLIV. And be it enacted, That whenever any Order shall be made under this Act, either by the Lord Chancellor intrusted as aforesaid or by the Court of Chancery, for the Purpose of conveying or assigning any Lands, or for the Purpose of releasing or disposing of any contingent Right, and such Order shall be founded on an Allegation of the personal Incapacity of a Trustee or Mortgagee, or on an Allegation that a Trustee or the Heir or Devisee of a Mortgagee is out of the Jurisdiction of the Court of Chancery or cannot be found, or that it is uncertain which of several Trustees, or which of several Devisees of a Mortgagee, was the Survivor, or whether the last Trustee, or the Heir or last surviving Devisee of a Mortgagee, be living or dead, or on an Allegation that any Trustee or Mortgagee has died intestate without an Heir, or has died, and it is not known who is his Heir or Devisee, then in any of such Cases the Fact that the Lord Chancellor intrusted as aforesaid or the Court of Chancery has made an Order upon such an Allegation shall be conclusive Evidence of the Matter so alleged in any Court of Law or Equity upon any Question as to the legal Validity of the Order: Provided always, that nothing herein contained shall prevent the Court of Chancery directing a Re-conveyance or Re-assignment of any Lands conveyed or assigned by any Order under this Act, or a Re-disposition of any contingent Right conveyed or disposed of by such Order; and it shall be lawful for the said Court to direct any of the Parties to any Suit concerning such Lands or contingent Right to pay any Costs occasioned by the Order under this Act, when the same shall appear to have been improperly obtained. 15 20 25 30 35 40

Trustees of
Charities.

XLV. And be it enacted, That it shall be lawful for the Lord Chancellor intrusted as aforesaid, or the Court of Chancery, to

to exercise the Powers herein conferred for the Purpose of vesting any Lands, Stock, or Chose in Action in the Trustee or Trustees of any Charity or Society over which Charity or Society the said Court of Chancery would have Jurisdiction upon Suit
 5 duly instituted, whether such Trustee or Trustees shall have been duly appointed by any Power contained in any Deed or Instrument, or by the Decree of the said Court of Chancery, or by Order made upon a Petition to the said Court under any Statute authorizing the said Court to make an Order to that Effect in a summary Way
 10 upon Petition.

XLVI. And be it enacted, That no Lands, Stock, or Chose in Action vested in any Person upon any Trust or by way of Mortgage, or any Profits thereof, shall escheat or be forfeited to Her Majesty, Her Heirs or Successors, or to any Corporation, Lord or
 15 Lady of a Manor, or other Person, by reason of the Attainder or Conviction for any Offence of such Trustee or Mortgagee, but shall remain in such Trustee or Mortgagee, or survive to his or her Co-Trustee, or descend or vest in his or her Representative, as if no such Attainder or Conviction had taken place.

No Escheat of Property held upon Trust or Mortgage.

20 XLVII. And be it enacted, That nothing contained in this Act shall prevent the Escheat or Forfeiture of any Lands or Personal Estate vested in any such Trustee or Mortgagee, so far as relates to any beneficial Interest therein of any such Trustee or Mortgagee, but such Lands or Personal Estate, so far as relates to any such
 25 beneficial Interest, shall be recoverable in the same Manner as if this Act had not passed.

Act not to prevent Escheat or Forfeiture of beneficial Interest.

XLVIII. And be it enacted, That where any Infant or Person of unsound Mind shall be entitled to any Money payable in discharge of any Lands, Stock, or Chose in Action conveyed, assigned, or transferred under this Act, it shall be lawful for the Person by whom
 30 such Money is payable to pay the same into the Bank of England, in the Name and with the Privity of the Accountant General, in trust in any Cause then depending concerning such Money, or, if there shall be no such Cause, to the Credit of such Infant or Person of unsound Mind, subject to the Order or Disposition of the said
 35 Court; and it shall be lawful for the said Court, upon Petition in a summary way, to order any Money so paid to be invested in the Public Funds, and to order Payment or Distribution thereof, or Payment of the Dividends thereof, as to the said Court shall seem
 40 reasonable; and every Cashier of the Bank of England who shall receive any such Money is hereby required to give to the Person paying the same a Receipt for such Money, and such Receipt shall

Money of Infants and Persons of unsound Mind to be paid into Court.

491.

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be an effectual Discharge for the Money therein respectively expressed to have been received.

Court may
make a
Decree in
the Absence
of a Trustee.

XLIX. And be it enacted, That where in any Suit commenced or to be commenced in the Court of Chancery it shall be made to appear to the Court by Affidavit that diligent Search and Inquiry 5 has been made after any Person made a Defendant, who is only a Trustee, to serve him with the Process of the Court, and that he cannot be found, it shall be lawful for the said Court to hear and determine such Cause, and to make such absolute Decree therein against every Person who shall appear to them to be only a Trustee, 10 and not otherwise concerned in Interest in the Matter in question, in such and the same Manner as if such Trustee had been duly served with the Process of the Court, and had appeared and filed his Answer thereto, and had also appeared by his Counsel and Solicitor at the Hearing of such Cause: Provided always, that no such Decree shall 15 bind, affect, or in anywise prejudice any Person against whom the same shall be made, without Service of Process upon him as aforesaid, his Heirs, Executors, or Administrators, for or in respect of any Estate, Right, or Interest which such Person shall have at the Time of making such Decree for his own Use or Benefit, or otherwise than 20 as a Trustee as aforesaid.

Powers of
the Master.

L. And be it enacted, That when any Person shall, under the Provisions of this Act, apply to one of the Masters of the Court of Chancery in the first instance, and adduce Evidence, for the Purpose of obtaining the Certificate of such Master as a Foundation for an 25 Order of the said Lord Chancellor intrusted as aforesaid, or the said Court of Chancery, it shall be lawful for the said Master to dismiss such Application, and to direct that the Costs of any Persons consequent thereon shall be paid by the Person making the same; and all Orders of the Master under this Act shall be enforced by 30 the same Process as Orders of the Court made in any Suit pending thereon against any Party thereto.

Costs may
be paid out
of the Estate.

LI. And be it enacted, That the Lord Chancellor intrusted as aforesaid, and the Court of Chancery, may order the Costs and Expenses of and relating to the Petitions, Orders, Directions, Con- 35 veyances, Assignments, and Transfers to be made in pursuance of this Act, or any of them, to be paid and raised out of or from the Lands or Personal Estate, or the Rents or Produce thereof, in respect of which the same respectively shall be made, or in such Manner as the said Lord Chancellor or Court shall think proper. 40

Commission
concerning
Person of

LII. And be it enacted, That upon any Petition being presented under this Act to the Lord Chancellor intrusted as aforesaid, concerning

concerning a Person of unsound Mind, it shall be lawful for the said Lord Chancellor, should he so think fit, to direct that a Commission in the Nature of a Writ De lunatico inquirendo shall issue concerning such Person, and to postpone making any Order upon such Petition
5 until a Return shall have been made to such Commission.

unsound
Mind.

LIII. And be it enacted, That upon any Petition under this Act being presented to the Lord Chancellor intrusted as aforesaid, or to the Court of Chancery, it shall be lawful for the said Lord Chancellor or the said Court of Chancery to postpone making any Order upon
10 such Petition until the Right of the Petitioner or Petitioners shall have been declared in a Suit duly instituted for that Purpose.

Suit may be
directed.

LIV. And be it enacted, That the Powers and Authorities given by this Act to the Court of Chancery in England shall extend to all Lands and Personal Estate within the Dominions, Plantations,
15 and Colonies belonging to Her Majesty (except Scotland).

Powers of
Court of
Chancery
to extend to
Property in
the Colonies.

LV. And be it enacted, That the Powers and Authorities given by this Act to the Court of Chancery in England shall and may be exercised in like Manner and are hereby given and extended to the Court of Chancery in Ireland with respect to all Lands and Personal
20 Estate in Ireland.

Powers given
to Court of
Chancery
may be ex-
ercised by
that Court
in Ireland.

LVI. And be it enacted, That the Powers and Authorities given by this Act to the Lord Chancellor of Great Britain intrusted as aforesaid shall extend to all Lands and Personal Estate within any of the Dominions, Plantations, and Colonies belonging to Her Majesty
25 (except Scotland and Ireland).

Powers of
Lord Chan-
cellor in
Lunacy to
extend to
Property in
the Colonies.

LVII. And be it enacted, That the Powers and Authorities given by this Act to the Lord Chancellor of Great Britain intrusted as aforesaid shall and may be exercised in like Manner by and are hereby given to the Lord Chancellor of Ireland intrusted as aforesaid, with
30 respect to all Lands and Personal Estate in Ireland.

Powers of
Lord Chan-
cellor in
Lunacy may
be exercised
by Lord
Chancellor
of Ireland.

LVIII. And be it enacted, That in citing this Act in other Acts of Parliament, and in legal Instruments and in legal Proceedings, it shall be sufficient to use the Expression "The Trustee Act, 1850."

Short Title.

LIX. And be it enacted, That this Act shall come into operation on the First Day of November One thousand eight hundred and
35 fifty.

CLAUSE B.
Commence-
ment of Act.

LX. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

Act may be
amended, &c.

Trustee Act, 1850.

A

B I L L

[AS AMENDED BY THE COMMITTEE]

INTITULED

An Act to consolidate and amend the
Laws relating to the Conveyance and
Transfer of Real and Personal Property
vested in Mortgagees and Trustees.

(*Brought from the Lords 6 June 1850.*)

*Ordered, by The House of Commons, to be Printed,
1 July 1850.*

491.

Under 3 oz.

Turnpike Acts Continuance, &c. Bill.

ARRANGEMENT OF CLAUSES.

Continuing certain Turnpike Road Acts to 1st October 1851 and to End of then next Session ; Sect. 1.

Continuing the Acts mentioned in Schedule till 1st November 1851 ; 2.

Trustees or Commissioners of any Turnpike Road may reduce or take off Tolls on Lime used in Agriculture ; 3.

Extending a certain Provision in 12 & 13 Vict. c. 87. for forming a Sinking Fund to Debts contracted before passing of said Act. Secretary of State may authorize Trustees not to set apart a Sinking Fund. Act not to interfere with Sinking Funds under local Acts ; 4.

Short Title ; 5.

As to Extension of Act ; 6.

SCHEDULE.

THE UNIVERSITY OF CHICAGO

THE UNIVERSITY OF CHICAGO

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5 July 1850. 13 & 14 VICT.



A

B I L L

TO

Continue certain Turnpike Acts in Great Britain,
and to make further Provisions respecting Turn-
pike Roads in England.

[Note.—The Words printed in *Italics* are proposed to be inserted
in the Committee.]

WHEREAS it is expedient to continue for limited Times the Preamble.
Acts herein-after specified, and to amend the general
Laws in England relating to Turnpike Roads: Be it
enacted by the Queen's most Excellent Majesty, by and with the
5 Advice and Consent of the Lords Spiritual and Temporal, and
Commons, in this present Parliament assembled, and by the Autho-
rity of the same, That every Act now in force for regulating, making, amending, or repairing any Turnpike Road in Great Britain
which will expire on or before the End of the next Session of
10 Parliament shall be continued until the First Day of October in the 1st Oct. 1851
Year One thousand eight hundred and fifty-one, and to the End of
the then next Session of Parliament, except an Act of the Fifty-sixth
Year of King George the Third, intituled "An Act for making and
15 "maintaining a Road from near Gatton Lodge in the County of
"Surrey to Povey Cross in the said County," and an Act of the
Eighth Year of King George the Fourth, intituled "An Act for more
"effectually repairing and maintaining the Road from Whitby to
520. A " Middleton

Certain
Turnpike
Acts con-
tinued to
1st Oct. 1851
and End of
then next
Session.
56 G. 3.
c. xxx.
7 & 8 G. 4.
c. liii.

9 G. 4. c. cviii. “ Middleton in the County of York,” and an Act of the Ninth Year of King George the Fourth, intituled “ An Act for more effectually repairing and maintaining several Roads leading from Lymington in the County of Southampton, and the Road to Wilverley Post in the New Forest,” and except as herein-after mentioned. 5

Acts in Schedule to this Act continued till 1st Nov. 1851.

II. And be it enacted, That the Acts mentioned in the Schedule to this Act annexed shall continue in force until the First Day of November in the Year One thousand eight hundred and fifty-one and no longer, unless Parliament shall in the meantime continue the same respectively. 10

Power to Trustees to reduce or take off Tolls on Lime used in Agriculture.

III. And be it enacted, That it shall be lawful for the Trustees or Commissioners of any Turnpike Road, in case it appear to them expedient so to do, and notwithstanding any Provisions of any local Act affecting such Road, from Time to Time at any General Annual or other Meeting of such Trustees or Commissioners, (of which 15 Meeting and of the Purposes thereof, so far as the same relate to the Exercise of the Powers given by this Enactment, such Trustees or Commissioners shall cause Notice to be given in some Newspaper usually circulated in the County or Counties in which such Road is situate,) to reduce or wholly take off the Tolls on Horses, Beasts, 20 Cattle, and Carriages employed in carrying or conveying Lime on such Road for the Improvement of Land, and afterwards at any such Meeting (of which Notice shall be given as aforesaid) from Time to Time as they see Occasion to advance or reimpose the Tolls so reduced or taken off, but so that such Tolls shall not be advanced 25 beyond the Amount or Amounts authorized to be taken by the Act or Acts of Parliament granting such Tolls : Provided always, that no such Order for reducing, taking off, advancing, or reimposing such Tolls shall take effect until the same has been submitted to and sanctioned by One of Her Majesty's Principal Secretaries of State; provided 30 also, that where the Tolls of such Road have been let to farm by the Trustees or Commissioners of such Road, no such Order reducing or taking off such Tolls shall take effect until the Expiration of the subsisting Contract or Agreement for the farming or letting thereof. 35

Provision in 12 & 13 Vict. c. 87. for forming a Sinking Fund extended to Debts contracted before passing of said Act.

IV. And whereas by an Act of the last Session of Parliament, intituled “ An Act to continue certain Turnpike Acts in Great Britain for limited Periods, and to make certain Provisions respecting Turnpike Roads in England,” it was enacted, that in every Case in which the Trustees or Commissioners of any Turnpike Road should 40 thereafter borrow, charge, or secure any Sum or Sums of Money on the Credit of the Tolls arising on such Road, such Trustees or Commissioners

missioners should, out of the Tolls of such Road, and in priority to all other Payments, except such Interest as therein mentioned, set apart a Sum of Five Pounds per Centum per Annum on the Amount of Money so borrowed, charged, or secured, and when and so often as
5 the Sums so set apart should amount to Two hundred Pounds, the Trustees or Commissioners of the Road out of the Tolls of which such Sum had arisen, should at any General Annual or other Meeting of such Trustees or Commissioners apply such Sum in Payment of a proportionate Part of the Monies borrowed, charged,
10 or secured as aforesaid in manner therein mentioned: And whereas it is expedient to extend such Enactment to Debts contracted on the Security of the Tolls of any Road before the passing of the said Act, but subject to the Proviso herein-after contained: Be it therefore enacted, That where the Trustees or Commissioners
15 of any Turnpike Road had before the passing of the said Act borrowed, charged, or secured any Sum or Sums of Money on the Credit of the Tolls arising on such Road, and any such Money shall remain unpaid and unsatisfied at the Time of the passing of this Act, such Trustees or Commissioners shall, out of the Tolls of such
20 Road, and in priority to all other Payments thereout, except the Interest on any Monies owing on the Security of the said Tolls, and such Sums as may be required to be set apart under the said recited Enactment, set apart a Sum of Five Pounds per Centum per Annum on the Amount of Principal Money so borrowed, charged, or
25 secured before the passing of the said Act, and remaining unpaid and unsatisfied as aforesaid; and when and so often as the Sums so set apart shall amount to the Sum of Two hundred Pounds, the Trustees or Commissioners of the Road out of the Tolls of which such Sum has arisen shall apply such Sum in or towards Payment of the Monies
30 so borrowed, charged, or secured as aforesaid, and then remaining unpaid, in manner provided by the said Act with respect to the Application of Money arising from the Sums set apart as therein mentioned, in or towards the Discharge of Monies borrowed, charged, or secured after the passing of such Act: Provided always, that it shall be
35 lawful for One of Her Majesty's Principal Secretaries of State, if upon the Application of the Trustees or Commissioners of any Turnpike Road he see fit so to do, by Order in Writing under his Hand, to authorize such Trustees or Commissioners not to set apart any Sum as herein-before required, or to set apart a less Sum per Centum
40 per Annum than the Sum herein-before mentioned, and it shall be lawful for such Secretary of State from Time to Time to vary or revoke any such Authority, and such Order shall be binding on such Trustees or Commissioners: Provided also, that where Pro-
45 vision is made under any local Act for forming a Fund for the Discharge of the Monies borrowed, charged, or secured on the Tolls of

Secretary of State may authorize Trustees not to set apart a Sinking Fund.

Enactment not to interfere with Sinking Funds under any local Acts.

any Turnpike Road, this Enactment shall not extend to the Trustees or Commissioners of such Road.

Short Title. V. And be it enacted, That in citing this Act in other Acts of Parliament, and in legal Instruments, it shall be sufficient to use the Expression "The Annual Turnpike Acts Continuance Act, 1850." 5

As to Extension of Act. VI. And be it enacted, That this Act shall not apply to Ireland, nor, except in respect of the Continuance of the Acts hereby continued, to Scotland.

SCHEDULE.

50 G. 3. c. cxxxiii. An Act for enlarging the Terms and Powers of an Act of His present Majesty, for repairing the Road from Buckingham, through Brackley, to join the Daventry Turnpike Road near Banbury.

53 G. 3. c. xliv. An Act for enlarging the Term and Powers of an Act of His present Majesty, for repairing the Road from Great Marlow in the County of Buckingham to Stokenchurch in the County of Oxford.

55 G. 3. c. liv. An Act for continuing and amending an Act of His present Majesty, for repairing the Roads from Uttoxeter to Stoke, near Stone, and from Millwich to Sandon, in the County of Stafford.

55 G. 3. c. xc. An Act for continuing and amending an Act of His present Majesty, for repairing several Roads leading from Shenfield to Harwich and Rochford and other Places in the County of Essex, and for extending the said Act to the Road from Great Hallingbury to Hockerhill in the County of Hertford.

56 G. 3. c. lii. An Act for more effectually repairing the Road from Biggleswade to Alconbury Hill, and other Roads therein mentioned, in the Counties of Bedford and Huntingdon.

56 G. 3. c. lxix. An Act for continuing the Term and altering and enlarging the Powers of several Acts of His late and present Majesty, for repairing the Road from the North End of the Town of Derby in the County of Derby to Sheffield in the County of York, and from Duffield to Worksworth in the County of Derby.

An

An Act for enlarging the Term and Powers of several Acts of His late and present Majesty, for repairing the Road from the Town of Shrewsbury to Bridgenorth, and several other Roads near or adjoining thereto, in the Counties of Salop and Stafford. 57 G. 3. c. vi.

An Act for more effectually improving the Road from Richmond in the County of York to Lancaster in the County of Lancaster, and the Road from Richmond to Lucy Cross, and from Gilling to the Turnpike Road on Gatherley Moor in the County of York. 57 G. 3. c. xxvii.

An Act for more effectually maintaining so much of the Road from Richmond in the County of York to Lancaster in the County of Lancaster, and from Gilling to the Turnpike Road on Gatherley Moor, as relates to the Western District of the said Road, and for altering and diverting certain Parts of the said Western District of the said Road. 7 G. 4. c. lxxi.

An Act for making and maintaining a Road from the Town of Stroud in the County of Gloucester through Pitchcomb into the City of Gloucester. 58 G. 3. c. i.

An Act for making and maintaining a Road from the Town of Cheltenham to join the present Turnpike Road from Cheltenham to Painswick at or near to Prinknash Park Wall in the County of Gloucester. 1 G. 4. c. xvi.

An Act for more effectually repairing and improving several Districts of Malmesbury Turnpike Roads and other Roads connected therewith in the Counties of Wilts, Berks, and Gloucester. 1 G. 4. c. xxxii.

An Act for widening and improving the Road leading from the Turnpike Road in the Town of Tenterden through Woodchurch to Warehorne, and the Road leading out of the Turnpike Road in the Parish of Bethersden through Woodchurch to Appledore, in the County of Kent. 1 G. 4. c. xlii.

An Act for repairing the Road from Towcester through Brackley in the County of Northampton to Western Gate in the Parish of Weston on the Green in the County of Oxford. 1 G. 4. c. lxxiii.

An Act for more effectually repairing the Roads from Netherbridge to Levens Bridge, and from thence through the Town of Millthrop to Dixes, and from the Town of Millthrop to Hangbridge, and from thence to join the Heronsyke Turnpike Road near Clawthrop Hall in the County of Westmoreland. 3 G. 4. c. xii.

An Act for more effectually improving and keeping in repair the Road from Appleby in the County of Westmoreland to Kirkby in Kendal, and from Orton to the Turnpike Road near Shap, and from
520. B Highgate,

- 6 G. 4. c. ciii. An Act for making and maintaining a Turnpike Road from Meltham in the Parish of Almondbury to the Greenfield and Shepley Lane Head Turnpike Road, near Wessenden Head, in the Township of Austonley in the West Riding of the County of York.
- 6 G. 4. c. cxlvii. An Act for more effectually repairing and improving so much of the Road leading from the Town of Cheltenham in the County of Gloucester towards the City of Gloucester as lies within the Cheltenham District, and for opening new Communications with such Road.
- 9 G. 4. c. ix. An Act to enable the Trustees of the Road leading from the Town of Cheltenham in the County of Gloucester towards the City of Gloucester to form a new Branch to communicate with the said Road in the Parish of Cheltenham.
- 3 & 4 W. 4. c. xc. An Act to amend so much of Two Acts for repairing the Road leading from Cheltenham towards the City of Gloucester, and for making a new Branch to communicate with the same, as relates to the Priority of certain Mortgages granted on the Tolls thereof.
- 5 G. 4. c. xxiv. An Act for amending, repairing, and maintaining the Road from Sandon in the County of Stafford to Bullock Smithy in the County of Chester, and from Hilderstone to Draycott in the Moors and from Wetley Rocks to Tean, in the said County of Stafford.
- 7 G. 4. c. xx. An Act for amending an Act of His present Majesty, for repairing the Road from Sandon in the County of Stafford to Bullock Smithy in the County of Chester, and from Hilderstone to Draycot in the Moors, and from Wetley Rocks to Tean, in the County of Stafford, so far as relates to the Macclesfield District of Road, and for making a Diversion of Road in the said District.
- 7 G. 4. c. xxviii. An Act for more effectually repairing and improving the Road from the Brighthelmston Road at Pyecombe to Warninglid Cross in the Parish of Cuckfield, and from Pyecombe to the Henfield Road at Poynings Common in the County of Sussex, and for making a new Road from Warninglid Cross to Hand Cross in the said County.
- 7 G. 4. c. lxxi. An Act for more effectually maintaining so much of the Road from Richmond in the County of York to Lancaster in the County of Lancaster, and from Gilling to the Turnpike Road on Gatherley Moor, as relates to the Western District of the said Road, and for altering and diverting certain Parts of the said Western District of the said Road.
- 7 G. 4. c. cxxxiv. An Act for more effectually repairing the Road from Markfield Turnpike to the Road leading from Loughborough to Ashby-de-la-Zouch in the County of Leicester.

An

An Act for more effectually repairing the Road from Footscray by 9 G. 4.
Wrotham Heath to Maidstone, and from the said Road into the Road ^{c. xviii.}
from Mereworth to Hadlow, and for making and maintaining a Road
from the said Road at Wrotham Heath to Teston, and from the said
Road from Mereworth to Hadlow to St. Leonard's Street in the
Parish of West Malling, all in the County of Kent.

An Act for making and maintaining a Road from Beck Fen Lane 9 G. 4. c. xlv.
in the Parish of Mildenhall in the County of Suffolk to the South-east
End of the Bridge over the River Ouze in the Parish of Littleport in
the Isle of Ely and County of Cambridge, and other Roads therein
mentioned in the Counties of Norfolk and Suffolk.

And the Acts continued by any of the Acts in this Schedule
mentioned.

Turnpike Acts Continuance, &c.

(No. 2.)

A

BILL

To continue certain Turnpike Acts in Great Britain, and to make further Provisions respecting Turnpike Roads in England.

(*Prepared and brought in by*
Mr. Cornwall Lewis and Mr. Bourne.)

Ordered, by The House of Commons, to be Printed,
5 August 1850.

675.

Under 2 oz.

25 February 1849. 13 VICT.



(Ireland.)

A

B I L L

FOR

Requiring the Transmission of annual Abstracts of Accounts and Statements of Trustees or Commissioners of Turnpike Roads and Bridges in Ireland to the Lord Lieutenant to be laid before Parliament.

[Note.—The Words printed in *Italics* are proposed to be inserted in the Committee.]

WHEREAS it is expedient that annual Abstracts of Accounts and Statements of Revenues and Debts of the Trustees or Commissioners of the several Turnpike Roads and Bridge Trusts in Ireland should be prepared and transmitted to the Lord Lieutenant or other Chief Governor or Governors of Ireland, for the Purpose of being revised, and afterwards laid before both Houses of Parliament: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Trustees or Commissioners of every Turnpike Road or Bridge Trust in Ireland shall and they are hereby required, either by themselves or some Committee of their Number, annually to examine the Vouchers and audit and settle the Accounts of the respective Clerks or Secretaries and Treasurers appointed by them, and to examine into the State of the

Preamble.

Trustees of Turnpike Roads and Bridge Trusts in Ireland to examine and audit Accounts annually,

84. A Revenues

and make up
and sign
Abstracts
thereof, and
of Revenues
and Debts.

Revenues and Debts, distinguishing bonded from floating Debts, of the several Road or Bridge Trusts for which they shall act as Trustees or Commissioners, and to make up Abstracts of such Accounts, each of which Abstract shall contain a Statement of the Revenues and Debts of the Road or Bridge Trust, and also an Account of all Bonds 5 given by the Trustees or Commissioners, and the Dates thereof, which said Abstracts of Accounts and Statements shall be signed by not less than Three of the Trustees or Commissioners.

Clerks of
Turnpike
Road and
Bridge
Trusts, &c.
annually to
transmit to
the Lord
Lieutenant
Abstracts of
Accounts
and State-
ments of
Revenues
and Debts.

II. And be it enacted, That the several and respective Clerks or Secretaries to such Trustees or Commissioners by whom or by 10 whose Committees such Abstracts of Accounts and Statements of Revenues and Debts of the respective Turnpike Road and Bridge Trusts under the Charge of such Trustees or Commissioners are directed to be made and signed as aforesaid shall, on or before the First Day of *October One thousand eight hundred and fifty*, transmit 15 to the Lord Lieutenant or other Chief Governor or Governors of Ireland Abstracts and Statements, made up and signed as herein-before prescribed, and according to the Form contained in the Schedule (A.) annexed to this Act, or as nearly in the said Form as Circumstances will permit, for the Period of a Year ending on the 20 Thirty-first Day of December One thousand eight hundred and forty-nine, and shall in like Manner, upon the First Day of October in all future Years, transmit to the Lord Lieutenant or other Chief Governor or Governors of Ireland for the Time being the like Abstracts and Statements, made up and signed in the Manner 25 herein-before directed, and in the Form of the said Schedule (A.), or as nearly in the said Form as Circumstances will permit, for the Year ending on the Thirty-first Day of December then next preceding; and if any Clerk or Secretary to such Trustees or Commissioners shall refuse or neglect to transmit such annual Abstracts and Statements 30 within the Time herein-before prescribed, then and in every such Case every Clerk or Secretary so offending shall for every such Offence forfeit and pay any Sum not exceeding *Ten Pounds* nor less than *Five Pounds*, at the Discretion of any Justice or Justices of the Peace before whom Complaint of such Offence shall be made. 35

Lord Lieu-
tenant to
cause Ab-
stracts to be
laid before
Parliament.

III. And be it enacted, That the Lord Lieutenant or other Chief Governor or Governors of Ireland to whom such annual Abstracts and Statements shall be transmitted shall cause the same to be revised, abstracted, and arranged, and laid before both Houses of Parliament, together with any Observations which he may think 40 proper to be made respecting the State, Condition, and Repair of the Roads and Bridges, or any of them, or respecting the Debts, Revenues, Expenditure, and Management of any such Turnpike and Bridge Trusts.

IV. And

- IV. And be it enacted, That when and as often as the Trustees or Commissioners of any Turnpike Road or Bridge shall have entered into a Resolution to apply to Parliament for any new Turnpike Road or Bridge Act, or for the Continuation of the Term and Powers of the Act under which any Turnpike Road or Bridge is regulated, or for the Alteration or Enlargement of the Powers and Provisions of such Act or any of them, or for an Alteration of the Tolls or Pontages to be levied on such Turnpike Road or Bridge, the Clerk or Secretary of such Trustees or Commissioners shall immediately thereupon transmit a Copy of such Resolution to the Lord Lieutenant or other Chief Governor or Governors of Ireland, together with a Copy of any special Clauses proposed to be inserted in the intended Act, and also a Statement of the Alteration of Tolls or Pontages intended to be made.
- 15 V. And be it enacted; That the Penalties hereby imposed shall be recovered in such and the like Manner and subject to like Provisions as the Penalties imposed by and under the Acts for the more effectual Relief of the destitute Poor in Ireland are directed to be recovered, and shall be from Time to Time paid, one Moiety thereof to the Informer or Person suing for and recovering the same, and the other Moiety to the Treasurer or Treasurers to the Trustees or Commissioners for repairing or maintaining the Road or Bridge relating to which such Offence shall have been committed, and be applied and disposed of for the Purposes of such Road or Bridge.
- 25 VI. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

If Road or Bridge Acts proposed to be amended, Clerk to transmit Resolution and Particulars to the Lord Lieutenant.

Penalties how to be recovered and applied.

Act may be amended, &c.

SCHEDULE (A.)

GENERAL STATEMENT of the INCOME and EXPENDITURE of the
 TURNPIKE ROAD [or BRIDGE] TRUST in the County of _____ for the
 Period between the First Day of January and the Thirty-first Day of
 December in the Year _____

| INCOME. | | £ s. d. | EXPENDITURE. | | £ s. d. |
|---|---------|-------------------------------|---|---------|--|
| Balance in Treasurer's Hands }
brought forward - } | | | Balance due to the Treasurer }
brought forward - } | | |
| Revenue received from Tolls - | | | Manual Labour - | | |
| Revenue from Fines - | | | Carriage of Materials - | | |
| from incidental Receipt | | | Materials for Surface Repairs - | | |
| Amount of Money borrowed on } | | | Land purchased - | | |
| the Security of the Tolls - } | | | Damage done in obtaining Ma-
terials - } | | |
| | | | Tradesmen's Bills - | | |
| | | | Salaries : Treasurer - | | |
| | | | Secretary - | | |
| | | | Clerk - | | |
| | | | Surveyor - | | |
| | | | Other Officer - | | |
| | | | Law Charges - | | |
| | | | Interest on Debt - | | |
| | | | Annuities - | | |
| | | | Improvements - | | |
| | | | Watering Roads - | | |
| | | | Debts paid off - | | |
| | | | Incidental Expenses - | | |
| Balance due to the Treasurer - | | | Balance in the Treasurer's Hands | | |
| DEBTS. | | Rate of Interest
per Cent. | ARREARS OF INCOME. | | Insert the Name
and Place of Abode
of the Treasurer,
Clerk or Secretary,
General and
Superintending
Surveyor, below. |
| | £ s. d. | £ s. d. | | £ s. d. | |
| Bonded Debt - | | | Arrears of Tolls for
current Year - } | | |
| Floating ditto - | | | Arrears of any other
Receipt ditto - } | | |
| Unpaid Interest - | | | Arrears of former Years | | |
| Balance due to the
Treasurer - } | | | | | |
| Total Debts - | | | Total Arrears - | | |

Turnpike Road and Bridge Trusts.

(Ireland.)

A BILL

For requiring the Transmission of annual Abstracts of Accounts and Statements of Trustees or Commissioners of Turnpike Roads and Bridges in Ireland to the Lord Lieutenant to be laid before Parliament.

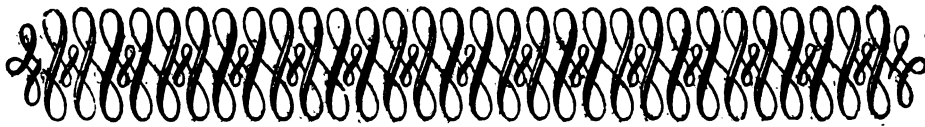
*(Prepared and brought in by
Sir William Somerville and Mr. Solicitor General
for Ireland.)*

*Ordered, by The House of Commons, to be Printed,
25 February 1850.*

84.

Under 1 oz.

3 June 1850. 13 Vict.



(Ireland.)

A

B I L L

TO

Continue certain Acts for regulating Turnpike Roads in Ireland.

[Note.—The Words printed in *Italics* are proposed to be inserted in the Committee.]

WHEREAS certain Acts for making, amending, and repairing the Turnpike Roads in Ireland were, by an Act passed in the Session of Parliament holden in the Fourth and Fifth Years of the Reign of Her present Majesty, amended and continued for a Time therein limited: And whereas the said Acts were further continued from Time to Time, save as specially excepted: And whereas, under the Provisions of an Act of the last Session of Parliament, the said Acts, save as therein excepted, are further continued, and will remain in force until the Thirty-first Day of July in the present Year, or, if Parliament be then sitting, until the End of the then Session of Parliament: And whereas it is expedient that the several Acts for making, amending, or repairing Turnpike Roads in Ireland should be further continued: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That any Act for making, amending, or repairing any Turnpike Road or Roads in Ireland which will expire on the said Thirty-first Day of July in the present Year, or at or before the End of the present or next ensuing Session of Parliament, shall be and the same is hereby continued,

Preamble.

12 & 13 Vict. c. 47.

Acts for making, &c. Turnpike Roads in Ireland which will expire on 31st July

410.

1850, &c.,
further con-
tinued.

tinued, as amended by the said recited Act of the Fourth and Fifth Years of Her Majesty's Reign, until the *Thirty-first Day of July One thousand eight hundred and fifty-one, or, if Parliament be then sitting, until the End of the then Session of Parliament.*

Nothing in
this Act to
extend to the
7 & 8 G. 4.
c. lxvi;

or to the
Act 9 G. 4.
c. lxxx;

or to the Act
1 & 2 G. 4.
c. xxxviii.

II. Provided always, and be it enacted, That nothing herein con- 5
tained shall apply or extend to an Act of the Seventh and Eighth
Years of the Reign of His late Majesty King George the Fourth,
intituled "An Act for repairing and improving the Road from Dublin,
" by Ashbourne, to Slane and Drogheda," or to an Act passed in the
Ninth Year of the Reign of King George the Fourth, intituled "An 10
" Act for more effectually repairing and improving the Road leading
" from Lisburn in the County of Antrim to the Town of Monaghan,"
or to an Act of the First and Second Years of the Reign of King
George the Fourth, intituled "An Act for repairing the Road from
" the Town of Athy in the County of Kildare, through the Town of 15
" Castlecomer in the County of Kilkenny, to the City of Kilkenny,
" and from the Town of Castlecomer to the Town of Leighlin Bridge
" in the County of Carlow, and from the Town of Carlow to the
" said Town of Castlecomer."

Act may be
amended, &c.

III. And be it enacted, That this Act may be amended or repealed 20
by any Act to be passed in this present Session of Parliament.

Turnpike Roads.

(Ireland.)

A

BILL

To continue certain Acts for regulating
Turnpike Roads in Ireland.

(Prepared and brought in by
Sir William Somerville and Mr. Solicitor General
for Ireland.)

Ordered, by The House of Commons, to be Printed,
3 June 1850.

410.

Under 1 oz.

Union of Liberties with Counties Bill.

ARRANGEMENT OF CLAUSES.

Petition may be presented to Her Majesty, praying for Union of Liberty with County ; Sect. 1.

Proceedings preparatory to Consideration of Petition ; 2.

Her Majesty, after Consideration of Petition, may order Union of Liberty with County ; 3.

After Union no separate Commission of the Peace to issue for Liberty, and Sessions for the County to have Jurisdiction in Liberty; and Inhabitants of Liberty to serve on Juries for County ; 4.

Gaol of the Liberty to become the Gaol of the County ; 5.

Trial of Prisoners to take place at Sessions for united County and Liberty, and, where necessary, at Assizes ; 6.

Custos Rotulorum of County to be Keeper of Records of the Liberty ; 7.

Treasurer of Liberty to pay over Monies to Treasurer of County ; 8.

Interpretation ; 9.

Boroughs within Liberties to be Parts of Counties ; 10.

Act not to extend to Southwark, Scotland, or Ireland ; 11.

Act may be amended or repealed ; 12.

8 August 1850. 13 & 14 VICT.



A

B I L L

[AS AMENDED IN THE COMMITTEE]

INTITULED

An Act for facilitating the Union of Liberties with
the Counties in which they are situate.

[Note.—*The Clauses marked A. and B. were added by the Committee.*]

WHEREAS divers Liberties (having separate Commissions of Preamble.
the Peace, and not being incorporated Boroughs,) have been
constituted in England and Wales, and it is expedient to
enable a Union of such Liberties to be made with the Counties in
5 which they are situate : Be it therefore enacted by the Queen's most
Excellent Majesty, by and with the Advice and Consent of the
Lords Spiritual and Temporal, and Commons, in this present Par-
liament assembled, and by the Authority of the same, That where
it shall seem expedient to the Justices of any Liberty, or to the
10 Justices of the County in which any Liberty is situate, that the
Union of the Liberty with the County in which the same is situated
should be effected under this Act, it shall be lawful for such Justices,
in General or Quarter Sessions assembled, to resolve that a Petition
shall be presented to Her Majesty, praying that such Union take
15 place, and thereupon to adjourn the further Consideration of such
Petition until Notice thereof shall be given as herein-after provided.

Petition for
Union of
Liberty with
County.

691.

A

II. And

Preparation
of Petition.

II. And be it enacted, That previously to the Consideration of any such Petition Notice of the Resolution of such Justices shall be advertised in a London Newspaper, and also in some Newspaper circulating in the County to which the Liberty is proposed to be united, for Three successive Weeks, and shall also (unless the Clerk 5 of the Peace of the County and of the Liberty is the same Person) be given to the Clerk of the Peace of the County, in case the Resolution shall be the Resolution of the Justices of the Liberty, or, in case the Resolution shall be the Resolution of the Justices of the County, to the Clerk of the Peace of the Liberty, and such 10 Notice shall be so advertised and given by the Clerk of the Peace of the County or Liberty the Justices of which shall come to the Resolution, and shall mention the Time and Place when the Petition for Union will be taken into consideration by the Justices of the County or Liberty coming to the Resolution; and the said Justices 15 shall confer with any Person who shall attend the Meeting of the said Justices for that Purpose, and who shall appear to the said Justices to be interested in the Matter of the said Petition, touching the said Petition, and such other Circumstances as shall appear to the said Justices fit to be considered in effecting a Union of the 20 Liberty with the County under the Provisions of this Act; and such Petition (which shall set forth the Reasons upon which the same is founded, and also the Terms and Conditions upon or under which it is desired that the Union shall take place, and particularly the Mode in which the Gaol and other Property of the Liberty, and the 25 Debt, if any, charged on the Rates of such Liberty, is proposed to be dealt with, and the Nature and Amount of Compensation, if any, to be paid to any Custos Rotulorum, hereditary Sheriff, Clerk of the Peace, Coroner, Treasurer, or other Person holding or entitled to any permanent Franchise or Office in or belonging to the said Liberty, 30 and in what Manner such Compensation is proposed to be raised and paid, and such other Matters and Things as are proper to be provided for on the Union of the Liberty with the County,) shall be certified to Her Majesty under the Hand of the Chairman of the Justices present when such Petition shall be agreed to. 35

Union of
Liberty with
County.

III. And be it enacted, That where Petitions as aforesaid, as well of the Justices of the County as of any Liberty situate therein, shall be certified as aforesaid to Her Majesty, it shall be lawful for Her Majesty, if She shall think fit, with the Advice of Her Privy Council, after taking into consideration such Petitions, and also any other 40 Petition which may be presented to Her by any Person concerning any proposed Union of the Liberty with the County, to order the Union of such Liberty with the County, from such Time, upon such Terms and Conditions, and subject to such Restrictions, and generally

generally in such Manner, as to Her Majesty, with the Advice aforesaid, shall seem expedient; and it shall be lawful for Her Majesty, with the Advice aforesaid, to constitute such Liberty a separate Hundred, or to annex the same to any existing Hundred or in Parts
5 to existing Hundreds of such County; and every such Order, hereinafter referred to as the "Order of Union," shall be published in the London Gazette.

IV. And be it enacted, That from and after the Time mentioned in any such Order of Union for the Union of any Liberty with the
10 County in which it is situate, under the Provisions of this Act, save so far as otherwise directed by such Order, and subject to the Provisions thereof, such Liberty shall be taken to be in all respects Part of the County to which the same is united under such Order, and shall be subject to the Jurisdiction of the Justices of such
15 County, and the Jurisdiction and Powers of any Justices under any separate Commission of the Peace theretofore issued for such Liberty shall cease, and no separate Commission of the Peace shall be issued and no separate Sessions of the Peace shall be holden for any such Liberty, any Law, Statute, Letters Patent, Grant, or Charter whatsoever to the contrary notwithstanding; and the Sessions to be
20 holden in and for the County shall have full Jurisdiction over all Things cognizable by the Sessions for the Liberty, and the Caption and Venue in every Indictment or other Proceeding shall be in the County, without naming the Liberty; and the Inhabitants of the
25 Liberty shall, being duly qualified to serve upon Juries under the Provisions of an Act passed in the Sixth Year of the Reign of His late Majesty King George the Fourth, intituled "An Act for "consolidating and amending the Laws relating to Jurors and "Juries," be returned and be liable to serve on Juries at the Sessions
30 of the Peace for the County.

After Union no separate Commission of the Peace to issue for Liberty.

Sessions for the County to have Jurisdiction in Liberty.

Inhabitants of Liberty to serve on Juries for County.

V. And be it enacted, That, unless otherwise directed by the Order of Union, subject to the Provisions thereof, the Gaol belonging to the Liberty shall upon the Union of the Liberty with the County be a Common Gaol for the County, and shall be under the Control
35 and Management of the Justices of such County; and all Laws and Enactments in force with respect to a County Gaol, or to Persons imprisoned in a County Gaol, shall be in force with respect to any and every Gaol at the Time of such Union belonging to the Liberty, and to the Persons imprisoned therein.

Gaol of Liberty to become Gaol of County.

VI. And be it enacted, That, save where otherwise directed by the Order of Union, subject to the Provisions and Directions thereof, every Person who shall at the Time of the Union stand committed to take his Trial at any Court of Gaol Delivery, General or Quarter
40 Sessions.

Prisoners to be tried at Sessions for united County and Liberty, and, Sessions

where necessary, at Assizes.

Sessions of the Peace, for any such Liberty, charged with any Offence which the Justices of the said Liberty would have had Jurisdiction to try, shall take his Trial at the next Court of Quarter Sessions for the County to which such Liberty is united, if the Offence is cognizable by a Court of Quarter Sessions, and if not, 5 then before the Judges of Oyer and Terminer and Gaol Delivery at their next Circuit; and all Persons bound by Recognizance to prosecute and give Evidence against such Offenders shall be bound to appear to prosecute and give Evidence at the Court at which such Offenders shall be tried as aforesaid; and all such Recognizances, and 10 all Depositions relating to such Charges, shall be transmitted to the proper Officer of the Court where such Offenders shall be tried; and the Sheriff, Under Sheriff, Gaolers, and other Officers of the County in which such Offenders shall be so tried are hereby authorized and required in every such Case to receive every Prisoner delivered into 15 the Custody of the Sheriff or removed to the Gaol of the County, and him safely keep until delivered in due Course of Law; and the Judges of Assize and others named in Her Majesty's Commission of Oyer and Terminer and Gaol Delivery, or the Justices of the County, as the Case may be, in which such Offenders shall be tried, are 20 hereby authorized and required to hear and determine all such Cases, and to order the Payment of the usual and fit Expenses of the Prosecutors and Witnesses, and all other Costs and Expenses which in like Case may be directed to be paid by Order of Court.

Records to be delivered to Custos Rotulorum of County.

VII. And be it enacted, That the Custos Rotulorum of every 25 County to which any Liberty shall be united under the Provisions of this Act shall, unless otherwise directed by the Order of Union, become the Keeper of Records of the Court of Sessions of the Peace of the said Liberty, and the Records of the said Court shall be delivered to the said respective Keepers accordingly. 30

CLAUSE A.
Treasurer of Liberty to pay over Monies to Treasurer of County.

VIII. And be it enacted, That, save where otherwise directed by the Order of Union, and subject to the Provisions of such Order, the Treasurer for the Liberty shall, upon the Union of the Liberty with the County, pay over to the Treasurer of the County all Monies in his Hands of or belonging to the Liberty; and the Treasurer of the 35 County shall stand possessed of and shall apply all such Monies for such Purposes as the Order of Union shall direct, and, in default of such Direction, as Part of the County Rates.

Interpretation of Words.

IX. And be it enacted, That in this Act the Word "Liberty" shall be taken to mean also Division of a County, Town and County, and 40 Soke; and the Word "Gaol" shall be taken to mean also Prison or House of Correction; and in describing any Person or Thing any Word

Word importing the Singular Number shall be construed to mean also several Persons or Things respectively, unless there be something in the Subject or Context repugnant to such Construction.

X. Provided always, and be it enacted, That where any Borough
5 Corporate or other Corporate Place, or any Part thereof, is situate within any Liberty united with any County under this Act, such Borough or Place, or Part thereof, as aforesaid, from the Time of such Union (save as otherwise directed by the Order of Union) shall be deemed to be within and Part of such County for all Purposes for
10 which before such Union it was within and Part of such Liberty ; and such Borough or Place, or Part thereof, and such County respectively, in relation to each other and the Inhabitants and others in respect thereof, shall have and be subject to the like Rights, Privileges, Liabilities, and Jurisdiction which such Borough or Place, or
15 Part thereof, and such Liberty respectively, had and were subject to before such Union, and, save as aforesaid, no Borough or other Corporate Place named in either of the Schedules to the Act of the Sixth Year of King William the Fourth, " to provide for the Regulation of
20 " Municipal Corporations in England and Wales," or to which the Provisions of that Act have been extended by Charter or Act of Parliament, shall be subject to the Provisions of this Act.

CLAUSE B.
Boroughs
within
Liberties.

XI. And be it enacted, That this Act shall not extend to the
Borough of Southwark, to Scotland, or Ireland.

Act not to
extend to
Southwark,
Scotland, or
Ireland.

XII. And be it enacted, That this Act may be amended or repealed
25 by any Act to be passed in this Session of Parliament.

Act may be
amended or
repealed.

Union of Liberties with Counties.

A

B I L L

[AS AMENDED IN THE COMMITTEE]

INTITULED

An Act for facilitating the Union of
Liberties with the Counties in which
they are situate.

(*Brought from the Lords 17 July 1850.*)

*Ordered, by The House of Commons, to be Printed,
8 August 1850.*

691.

Under 1 oz.

Upton cum Chalvey Marriages Validity Bill.

ARRANGEMENT OF CLAUSES.

Preamble recites —

That a new Church, intended for the Parish Church of Upton cum Chalvey, has been erected and consecrated :

That divers Marriages have been solemnized therein :

That Doubts are entertained respecting the Validity of such Marriages.

Marriages so solemnized in the said Church declared to be valid ;
Sect. 1.

The Ministers who have solemnized such Marriages not to be liable to Ecclesiastical Censure, or to any Penalties, &c. ; 2.

Registers of such Marriages to be received in Evidence ; 3.

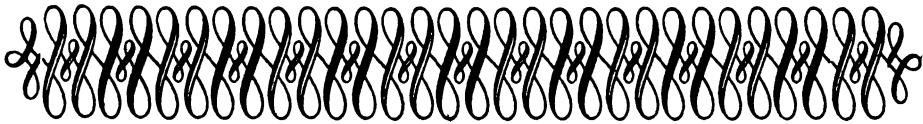
The first part of the paper is devoted to a discussion of the
 various methods which have been proposed for the determination of
 the rate of reaction between a gas and a solid. It is shown that
 the most reliable method is that of measuring the change in weight
 of the solid as the reaction proceeds. This method is applicable to
 all cases in which the solid is not volatile and the gas is not
 absorbed by the solid. In cases where the solid is volatile or the
 gas is absorbed, other methods must be used. These methods are
 discussed in the second part of the paper.

The third part of the paper is devoted to a discussion of the
 factors which influence the rate of reaction between a gas and a
 solid. It is shown that the rate of reaction is influenced by the
 nature of the solid, the nature of the gas, the temperature, and the
 surface area of the solid. The effect of each of these factors is
 discussed in detail.

The fourth part of the paper is devoted to a discussion of the
 mechanism of the reaction between a gas and a solid. It is shown
 that the reaction proceeds in a series of steps, each of which is
 controlled by a different factor. The mechanism of the reaction is
 discussed in detail.

The fifth part of the paper is devoted to a discussion of the
 applications of the results of the experiments. It is shown that the
 results of the experiments can be used to determine the rate of
 reaction between a gas and a solid in a wide variety of cases.

9 July 1850. 13 & 14 VICT.



A

B I L L

INTITULED

An Act to render valid certain Marriages solemnized in the new Church at Upton cum Chalvey in the County of Buckingham and Diocese of Oxford.

WHEREAS a new Church intended as and for the Parish Church of the Parish of Upton cum Chalvey in the County of Buckingham and Diocese of Oxford was erected and built some Time in or about the Year One thousand eight hundred and thirty-seven, and was duly consecrated for the Performance of the Divine Service therein: And whereas before the Period at which the said new Church was legally constituted the Parish Church divers Marriages have been solemnized in the said new Church by the Vicar or officiating Minister for the Time being of the Parish of Upton cum Chalvey, and by other Clergymen, under the erroneous Opinion that according to the Terms of the Sentence of Consecration of the said new Church or otherwise Marriages might be lawfully solemnized therein, and Entries of the several Marriages so solemnized as aforesaid have been from Time to Time made in the Register Book of the said Parish, in compliance with the Provisions of the Act of Parliament respecting the Registry of Marriages: And whereas Doubts are entertained whether such Marriages so as aforesaid

Preamble.
That a new Church had been built in the Parish of Upton cum Chalvey, intended for the Parish Church.
That divers Marriages have been solemnized therein.
That it is expedient to remove Doubts

532. A solemnized

touching the
Validity of
said Mar-
riages.

Marriages,
&c. already
solemnized
in the said
new Church
declared to
be valid.

Ministers
solemnizing
such Mar-
riages, &c.
not to be
liable to
Penalties.

Registers to
be Evidence.

solemnized in such Church before the same was legally constituted the Parish Church are strictly legal, and it is expedient to remove such Doubts: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, 5 and by the Authority of the same, That all Marriages so as aforesaid solemnized in the said new Church of Upton cum Chalvey shall be as good and valid in the Law to all Intents and Purposes whatsoever as if the same had been solemnized in the Parish Church of Upton cum Chalvey aforesaid. 10

II. And be it enacted, That the Minister or Ministers who solemnized such Marriages respectively as aforesaid shall not be liable to any Ecclesiastical Censures, or to any other Proceedings or Penalties whatsoever, by reason of his or their having so as aforesaid solemnized the same respectively. 15

III. And be it enacted, That the Registers of the Marriages so solemnized as aforesaid, or Copies of such Registers, shall be received in all Courts of Law and Equity as Evidence of such Marriages respectively, in the same Manner as the same would have been receivable in Evidence in case the said Marriages respectively had 20 been solemnized in the Parish Church of Upton cum Chalvey aforesaid.

Vestries and Vestry Clerks.

A

BILL

To prevent the holding of Vestry or
other Meetings in Churches, and for
regulating the Appointment of Vestry
Clerks.

(*Prepared and brought in by*
Mr. Wood and Mr. Wilson Patten.)

Ordered, by the House of Commons, to be Printed,
7 March 1850.

118.

Under 1 oz.

7 March 1850. 13 Vict.



A

B I L L

TO

Prevent the holding of Vestry or other Meetings
in Churches, and for regulating the Appoint-
ment of Vestry Clerks.

[Note.—The Words printed in *Italics* are proposed to be inserted
in the Committee.]

WHEREAS the holding of Vestry or other Parochial Meetings Preamble.
in the Parish Church or Chapel, or in the Vestry Room
attached to such Church or Chapel, is productive of
Scandal to Religion and other great Inconveniences: For Remedy
5 thereof be it enacted by the Queen's most Excellent Majesty, by
and with the Advice and Consent of the Lords Spiritual and Tem-
poral, and Commons, in this present Parliament assembled, and by
the Authority of the same, That it shall be lawful for the Commis- Application
of the Act.
sioners for administering the Laws for Relief of the Poor in England, at
10 any Time or Times after the passing of this Act, upon Application in
Writing of the Churchwardens, or, where there are no Churchwardens,
of the Overseers of any Parish in England the Population whereof
exceeds One thousand Persons according to the then last preceding
Census, such Application being made pursuant to a Resolution of the
15 Vestry of such Parish, to make an Order under their Seal of Office that
this Act or any Part thereof shall be applied to and be put in force
within such Parish; and a Copy of such Order shall be published in
such Newspaper or Gazette, or both, as the said Commissioners may
118. direct,

A

direct, and shall be deposited with the Churchwardens or Overseers (where there are no Churchwardens) of any such Parish.

Vestry and other Meetings not to be held in Churches or Chapels of Parishes where the Population exceeds 1,000.

II. And be it enacted, That from and after the making and publishing of any such Order no Meeting of the Inhabitants of the Parish for the Purpose of holding a Vestry, or for any other Purpose 5 than that of Divine Worship, or some ecclesiastical or charitable or other Purpose approved by the Bishop of the Diocese, shall be holden in any Parish Church or Chapel, or other consecrated Church or Chapel, nor in the Chancel thereof, nor, except in case of Urgency, in the Vestry Room attached to such Church or Chapel, in any Parish 10 or Place named in such Order, any public or private Act of Parliament to the contrary notwithstanding.

Power to provide other Places of Meeting.

III. And be it enacted, That where any Vestry or other Meeting, by virtue of any Statute, Law, or Custom, has heretofore been holden in the Church or Chapel of any Parish or Place named in any such 15 Order as aforesaid, or in the Vestry Room of such Church or Chapel, any such Vestry or other Meeting shall from and after the making and publishing of such Order be holden in such other Room or Place within the Parish or Place as shall be provided for the holding thereof in pursuance of the Provisions of this Act, and all Acts done 20 in such other Room or Place as aforesaid shall be as good, valid, and effectual in the Law, to all Intents and Purposes whatsoever, as if such Vestry Meeting had been held in the Vestry Room of such Church or Chapel or in the Body of such Church or Chapel as aforesaid. 25

Proceedings at Meetings held contrary hereto to be null and void.

IV. And be it enacted, That from and after the Expiration of Six Calendar Months from the making and publishing of such Order as aforesaid all Proceedings at any Meeting purporting to be a Vestry or other Parochial Meeting, which shall be holden in any Church or Chapel of any Parish or Place named therein, or in the Vestry Room 30 attached to any such Church or Chapel, shall be absolutely null and void.

Power to purchase Lands, &c. under 8 & 9 Vict. c. 18.

V. And be it enacted, That the Churchwardens and Overseers of any Parish, with the Sanction of the said Commissioners and of a Majority of the Vestry, may by Agreement purchase or take upon 35 Lease or exchange any Lands or Premises, or sell Lands belonging to such Parish, and invest the Proceeds of such Sale in the Purchase of other Lands for the Purposes of this Act; and the Lands Clauses Consolidation Act, 1845, except the Parts and Enactments of that Act with respect to the Purchase and taking of Lands otherwise than by 40 Agreement, and with respect to the Recovery of Forfeitures, Penalties, and

Parts and Enactments of that Act with respect to the Purchase and taking of Lands otherwise than by Agreement, and with respect to the Recovery of Forfeitures, Penalties, and Costs, and with respect to Lands acquired by the Promoters of the Undertaking, but which
5 shall not be wanted for the Purpose thereof, shall, in so far as the same is consistent with this Act, be incorporated with this Act; and for the Purposes of this Act the Expressions "the Promoters of the Undertaking" or "the Secretary," whenever used in that Act, shall respectively mean the Churchwardens and Overseers, or Over-
10 seers as aforesaid; and the Expression "Tolls or Rates," whenever used in the said first-mentioned Act, shall mean Monies to be raised for the Relief of the Poor mentioned in this Act; and all Lands and Premises which shall be so purchased or taken on Lease by the Churchwardens and Overseers, or Overseers as aforesaid, of any
15 Parish shall be conveyed, demised, and assured to such Churchwardens and Overseers, or Overseers alone as aforesaid, and their Successors, in trust for the Purposes of this Act, and shall be accepted, taken, and held by them as a Body Corporate, and the yearly Rent reserved by any Lease shall be chargeable upon and
20 paid out of the Monies to be raised for the Relief of the Poor of any such Parish, and shall be paid by the Churchwardens and Overseers, or Overseers as aforesaid, of such Parish as such Rent becomes payable; and if at any Time any such Rent be not paid within Thirty Days after it so becomes payable, and after Demand thereof
25 in Writing, the Person to whom any such Rent shall be payable may either recover the same from the said Churchwardens and Overseers, or Overseers as aforesaid, with Costs of Suit, by Action of Debt in any Court of Law, or may levy the same by Distress of the Goods and Chattels of any of the said Churchwardens and Overseers, or
30 Overseers as aforesaid.

VI. And be it enacted; That it shall be lawful for the Poor Law Commissioners, by an Order under their Hands and Seal, upon the
Receipt of a Copy under the Hands of the said Churchwardens, or, where there are no Churchwardens, of the Overseers of any Parish, of
35 a Resolution passed at a Vestry duly convened and held for the Purpose, after public Notice of the Time and Place and Purpose of holding such Vestry shall have been given in like Manner as Notices of Vestry Meetings are published and given, consenting to the Issue of such Order, to direct the Churchwardens and Overseers, or, where
40 there are no Churchwardens, the Overseers, and such Churchwardens and Overseers, as the Case may be, are hereby required, if so directed by such Order and Resolution as aforesaid; to borrow any Sum of Money which may be required for the Purposes of this Act, and to charge the Poor Rates of the said Parish with the Repayment
379. of

Poor Law Commissioners, on Receipt of a Resolution of the Vestry, authorized to require Money to be borrowed for the Purposes of the Act.

of the Sum borrowed for such Purpose and the Interest thereof, so nevertheless that the Sum so borrowed shall be repaid by equal annual Instalments not exceeding Ten.

Church-wardens to call a Meeting to elect a Vestry Clerk.

Vestry Clerk to be elected at such Meeting, and not to be removable except by Resolution of Vestry and Consent of Poor Law Board, or by the Order of that Board.

Duties of Vestry Clerk.

VII. And whereas in populous Parishes various Duties are by Law imposed upon and required to be performed by the Officers of 5 Parishes, and much Business is transacted at Vestry Meetings, and the Parish Officers and Vestries require the Assistance of a Vestry Clerk in respect of such Duties and Business; and it is expedient that Provision should be made for regulating the Appointment and for the Payment of such Vestry Clerks: Be it therefore enacted, That 10 the Churchwardens or other Persons to whom it belongs to convene Meetings of the Vestry in any Parish shall, within the Space of One Calendar Month from and after the making and publishing of any Order of the Commissioners so applied for, if such Order extend to the Appointment of Vestry Clerk as aforesaid, and also, in case of 15 any subsequent Vacancy in the Office of Vestry Clerk, within One Calendar Month next after such Vacancy, convene a Meeting of the Vestry of any Parish named in such Order, for the special Purpose of electing a Vestry Clerk, to perform such of the Duties herein-after mentioned as shall be applicable to such Parish, in addition to 20 those which are or may be imposed upon Vestry Clerks by any Act or Acts of Parliament; and public Notice of such Vestry, and the Place of holding the same, and the special Purpose thereof, shall be given, in the usual Manner in which Notice of the Meetings of the Vestry is now given, at least Seven Days before the 25 Day to be appointed for holding such Vestry; and at such Meeting the Vestry shall proceed to elect some fit and competent Person to be Vestry Clerk, and the Person so elected shall not be removable from Office except by a Resolution passed at a Vestry to be called for that special Purpose in the Manner herein-before mentioned, and 30 with the Consent of the said Commissioners for administering the Laws for the Relief of the Poor in England, or by an Order under the Seal of the said Commissioners.

VIII. And be it enacted, That it shall be the Duty of such Vestry Clerk, 35

To give Notice of and attend the Meetings of Vestry and Committees appointed thereat:

To summon and attend Meetings of the Churchwardens and Overseers, when required, and to enter the Minutes thereof respectively: 40

To keep the Account of all Charity Monies which the Churchwardens or Overseers are authorized or are accustomed to distribute:

To

thereto, such Person paying for the same at the Rate of Fourpence for every Seventy-two Words or Figures, and to permit any Person or Persons rated to the Relief of the Poor of the said Parish, at all reasonable Times, to inspect the same or any of them, on Payment of One Shilling, on pain of Dismissal for neglecting to give such Copies or permit such Inspection :

To make out the Church Rate, and procure the same to be signed and completed, and to retain the Custody thereof, and to make out the Poor Rate, and procure the same to be allowed, and to make all the subsequent Entries in the Rate Books, and to give the Notices thereof required by Law :

To prepare and issue the necessary Process for recovering of Arrears of such Rates respectively before the Justices, and procure the Summons to be served, and to attend the Justices thereon, and advise the Churchwardens as to the Recovery of such Arrears :

To keep and make out the Accounts of the Churchwardens, and to present such Accounts to the Vestry or other legal Authority, to be passed, and to examine the Church Rate Collectors Accounts and Returns of Arrears :

To attend the Justices and Courts of Sessions on Appeal against Assessments :

To assist the Overseers in making out their Accounts (whenever required by them), and, subject to the Rules and Regulations of the Commissioners for administering the Laws for the Relief of the Poor, to examine from Time to Time the Accounts of the Assistant Overseers or Collectors of Poor Rates, and their Returns of Arrears :

To attend the Audit of Accounts of the Overseers, and conduct all Correspondence arising therefrom :

To assist the Churchwardens or Overseers in preparing and making out all other Parochial Assessments and Accounts, and to examine the Accounts of the Collectors of such Assessments :

To ascertain and make out the List of Persons liable to serve on Juries, and to cause them to be printed and duly published, and returned to the Justices :

To give the Notices for Claims to vote for Members of Parliament, and to make out Lists of Voters, and get the same printed and published, and duly returned, according to Law, and to attend the Court for revising them :

To make all Returns required of the Churchwardens or of the Overseers by Law or proper Authority :

To advise the Churchwardens and Overseers in all the Duties of their Office, and to acquaint them of all new Enactments affecting their Office ; and also to perform such other Duties and Services

Services of a like Nature as the said Commissioners for administering the Laws for the Relief of the Poor in England, from Time to Time, at the Request of the Churchwardens or Overseers of any such Parish, or otherwise, shall prescribe and direct to be performed by such Vestry Clerk.

5

Salary of
Vestry Clerk
to be fixed
by Poor
Law Com-
missioners.

IX. And be it enacted, That the Amount of Salary or other Remuneration to be paid to the Vestry Clerk, as well as the Days and Times on which and the Persons by whom the same shall be payable, shall be fixed by the said Commissioners, and altered from Time to Time as there shall be Occasion; and such Salary or Remu- 10
neration shall be chargeable upon and paid out of the Monies to be raised for the Relief of the Poor of any such Parish: Provided always, that where, under the Provisions of any local Act or Acts of Par-
liament, any Person or Persons shall be paid for the Performance of
any of the Duties of Vestry Clerk, or for assisting in the Performance 15
of any of the Duties of Churchwardens or Overseers of the Poor, nothing herein contained respecting the Duties of the Vestry Clerk shall apply to or be deemed to apply to the Performance of such
Duties while the same are so performed, or while Payment shall be
made for the Performance of them as aforesaid. 20

Vestry Clerk,
though not
an Attorney,
may act at
Sessions.

X. And be it enacted, That, notwithstanding anything contained in an Act passed in the Seventh Year of the Reign of Her Majesty, intituled "An Act for consolidating and amending several of the
" Laws relating to Attornies and Solicitors practising in England
" and Wales," it shall be lawful for any Vestry Clerk or other 25
Officer constituted under this Act, if duly authorized by the Church-
wardens of the Parish, or, where there are no Churchwardens, by
the Overseers thereof, to make or resist any Application, Claim, or
Complaint; or to take and conduct any Proceedings before any
Justice or Justices of the Peace, at Petty or Special Sessions or out 30
of Sessions, although such Vestry Clerk be not an Attorney or Soli-
citor, or have not obtained a stamped Certificate in pursuance of the
Provisions of the said Act relating to Solicitors.

Church-
wardens and
Overseers
not to be
discharged
from Per-
formance of
Duty.

XI. And be it enacted, That nothing herein contained shall exempt
or discharge, or be construed to exempt or discharge, any Church- 35
warden or Overseer of the Poor from the Performance of any Duty
required of him by Law, nor oblige him to avail himself of the Assist-
ance of any Vestry Clerk to be appointed as aforesaid in the Per-
formance of his Duties, unless he shall think fit so to do.

Interpreta-
tion Clause.

XII. And be it enacted, That in this Act the following Words 40
and Expressions shall have the several Meanings hereby assigned to
them,

separately maintaining its own Poor; "Vestry" shall mean the
 Inhabitants of the Parish lawfully assembled in Vestry, or for any
 of the Purposes for which Vestries are holden, except in those
 Parishes in which there is a Select Vestry elected under an Act
 5 passed in the Fifty-ninth Year of the Reign of King George the
 Third, intituled "An Act to amend the Laws for the Relief of the 59 G.3. c.12.
 " Poor," or elected under an Act passed in the Second Year of the
 Reign of His late Majesty, intituled "An Act for the better Regu- 1 & 2 W. 4.
 " lation of Vestries, and for the Appointment of Auditors of Accounts, c. 60.
 10 " in certain Parishes in England and Wales," or elected under the
 Provisions of any local Act of Parliament for the Government of any
 Parish by Vestries, or under or by virtue of any prescriptive Custom
 or otherwise, in which Parishes it shall mean Select Vestry; "Lands"
 shall mean Lands, Tenements, and Hereditaments, of whatsoever
 15 Nature or Tenure; Words importing the Masculine Gender shall
 include the Feminine; Words of the Plural Number shall include
 the Singular; Words of the Singular Number shall include the
 Plural.

XII. And be it enacted, That this Act may be amended or Act may be
 20 repealed by any Act to be passed in this present Session of Par- amended, &c.
 liament.

Weights and Measures.

A

B I L L

To alter and amend the Law relating to
Weights and Measures.

*(Prepared and brought in by
Sir John Duckworth, Sir John Yarde Buller, and
Colonel Clifford.)*

*Ordered, by The House of Commons, to be Printed,
23 April 1850.*

261.

Under 1 oz.

23 April 1850. 13 VICT.



A

B I L L

TO

Alter and amend the Law relating to Weights and Measures.

[Note.—The Words printed in *Italics* are proposed to be inserted in the Committee.]

WHEREAS an Act passed in the Thirty-fifth Year of the Preamble.
Reign of His late Majesty King George the Third, intituled “An Act for the more effectual Prevention of the 35 G. 3.
“Use of defective Weights and of false and unequal Balances:” And c. 102.
5 whereas another Act passed in the Thirty-seventh Year of the Reign
of His said late Majesty King George the Third, intituled “An Act 37 G. 3.
“to explain and amend an Act made in the Thirty-fifth Year of His c. 143.
“(then) present Majesty, intituled ‘An Act for the more effectual
“‘Prevention of defective Weights and of false and unequal
10 “‘Balances:’” And whereas another Act passed in the Fifth and
Sixth Years of the Reign of His said late Majesty King William the
Fourth, intituled “An Act to repeal an Act of the Fourth and Fifth 5 & 6 W. 4.
“Year of His (then) present Majesty relating to Weights and c. 63.
“Measures, and to make other Provisions instead thereof:” And Doubts whe-
15 whereas notwithstanding the Provisions of the said last-recited Act ther 37 G. 3.
Doubts have arisen and still exist whether the said Act so passed in c. 143. is re-
the Thirty-seventh Year of His said late Majesty King George the repealed.
Third as aforesaid has been wholly or in part repealed, or whether it
still remains in force and unrepealed: And whereas it is expedient
20 to repeal the same, and also the said Act of the Thirty-fifth Year of
the

261.

A

the

35 G. 3.
c. 102. and
37 G. 3.
c. 143.
repealed,
except so far
as relates to
former Acts,
and to the
Validity of
Acts done
or Appoint-
ments made
under them.

the Reign of King George the Third, by positive Enactment; and it is also expedient to alter and amend the said Act of the Fifth and Sixth Years of the Reign of King William the Fourth: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Com- 5
mons, in this present Parliament assembled, and by the Authority of the same, That the said recited Acts passed in the Thirty-fifth and Thirty-seventh Years of the Reign of His late Majesty King George the Third shall be and the same are hereby repealed, save and except so far as the said Acts or any of them repeal the whole or any Part 10
of any former Act or Acts: Provided always, that nothing herein contained shall extend to or be construed to extend to or interfere with any Acts done or Appointments made under the Authority of the said Acts or any of them, or to prevent the suing for or recovering of any Penalty incurred by any Offence committed against the Provisions 15
of the said Acts or any of them, previous to the Repeal thereof in and by this Act, or to hinder or defeat any Prosecution commenced or to be brought for such Offence, but that all Penalties and Forfeitures so incurred may be sued for and recovered in the same Manner as any Penalties and Forfeitures incurred under the Provisions of this 20
Act are recoverable.

Examiners
to cease to
hold Office
on 1st Feb.
after passing
of this Act,
and to trans-
mit Standard
Weights to
Clerk of the
Peace.

II. And be it enacted, That on the First Day of February next after the passing of this Act all Persons heretofore appointed to the Office of Examiner of Weights and Measures shall cease to hold the same, and shall immediately thereupon transmit to the Clerk of the 25
Peace of the County, Riding, or Division, Town, or Place, all such Weights and Measures, Beams, Scales, Balances, Stamps, and other Articles as shall have been supplied to him and them by or at the Expense of such County, Riding, Division, Town, or Place.

CLAUSE A.
Power of In-
spectors to
enter, &c.,
and to seize
and detain
defective or
unjust
Weights.

III. And be it enacted, That it shall be lawful for every Inspector 30
appointed or to be appointed under and by virtue of the said recited Act of the Fifth and Sixth Years of the Reign of King William the Fourth, with or without Assistants, at all reasonable Times of the Day, whensoever he shall be ordered so to do by any Justice of the Peace of the County, Riding, Division, Liberty, City, Borough, 35
Town, or Place in England and Ireland, and County or Royal Burgh in Scotland, where the District for which such Inspector shall be appointed is situate, or when and as often as he, in his Discretion, shall consider it expedient, without any further Warrant or Authority, to visit every Parish and Place within his District, and to enter any 40
House, Shop, Cellar, Office, Store, Warehouse, Outhouse, Mill, Stall, Yard, or other Place whatsoever within such Parish and Place of or belonging to any Person or Persons who sell Articles, Goods, or
Chattels

Chattels of any Description by Weight or Measure, or who collect or receive Tolls or Dues or Money for the Carriage or Conveyance of Goods or Merchandize, or occupied or used by such Person or Persons for the Purpose of such Sale, Collection, or Receipt, and also to enter
 5 in and upon any Cart, Waggon, Truck, Barrow, or other Carriage, or any Ship, Vessel, Lighter, Boat, Barge, or Raft, within his District, in or upon which any Articles, Goods, or Chattels shall be sold or kept or exposed for Sale, or which shall be occupied or used for the Purpose of such Sale, Collection, or Receipt, and then and there to
 10 search for, examine, and try all Weights, Measures, Steelyards, Beams, Balances, Scales, and Weighing Machines found in such House, Shop, Cellar, Office, Store, Warehouse, Outhouse, Mill, Stall, Yard, or Place, or in or upon such Cart, Waggon, Truck, Barrow, or other Carriage, or such Ship, Vessel, Lighter, Boat, Barge, or
 15 Raft, and to compare the same with the Copies of the Imperial Standard Weights and Measures, Scales, Beams, and Balances in the Custody of such Inspector, and to seize and detain every Weight, Measure, Steelyard, Beam, Balance, Scale, and Weighing Machine which shall upon such Search and Comparison be found light,
 20 defective, false, unequal, or unjust.

IV. And be it enacted, That every such Inspector shall, within Three Days after such Seizure and Detention, prefer a Charge or Complaint against the said Person or Persons so found to be in possession of such light, defective, false, unequal, or unjust Weight,
 25 Measure, Steelyard, Beam, Balance, Scale, or Weighing Machine as aforesaid, before some Justice of the Peace of the County, Riding, Division, Liberty, City, Borough, Town, or Place in England and Ireland, and of the County or Royal Burgh in Scotland, where the District for which such Inspector is appointed is situate; and that
 30 it shall be lawful for such Justice to whom such Charge or Complaint shall be preferred, if he shall so think fit, to issue his Summons, directed to such Person or Persons, requiring him, her, or them to appear before Two Justices of the County, Riding, Division, Liberty, City, Borough, Town, or Place in England and Ireland, or of the
 35 County or Royal Burgh in Scotland as aforesaid, at a Time and Place to be therein mentioned; and such Summons, directed to such Person or Persons, being left either at his, her, or their last known Place of Residence, or on board any Ship, Vessel, Lighter, Boat, Barge, or Raft to which such Person or Persons may belong, shall
 40 be deemed to have been sufficiently served.

CLAUSE B.
 Inspector to prefer Complaint to One Justice, and Party offending to be summoned before Two Justices.

V. And be it enacted, That upon the Appearance or Default of any Person or Persons so summoned it shall be lawful for any Two Justices of the Peace of the County, Riding, Division, Liberty, City,
 420. Borough,

CLAUSE C.
 And in case of Conviction, Weight, &c. to be forfeited, and Penalty.

Borough, Town, or Place in England and Ireland, and of the County or Royal Burgh in Scotland, to proceed to the Examination of the Matter contained in such Charge or Complaint; and if, upon such Examination, the said Weight, Measure, Steelyard, Beam, Balance, Scale, or Weighing Machine so seized and detained by such Inspector as aforesaid be duly proved, to the Satisfaction of such Justices, to be light, defective, false, unequal, or unjust, the same shall be forfeited, and the Person or Persons in whose House, Shop, Cellar, Store, Office, Warehouse, Outhouse, Mill, Stall, Yard, or Place, or in or upon whose Cart, Waggon, Truck, Barrow, or other Carriage, Ship, Vessel, Lighter, Boat, Barge, or Raft, any such false or defective Weight, Measure, Steelyard, Beam, Balance, Scale, or Weighing Machine shall be found, shall, on Conviction before such Justices, for every such false and defective Weight, Measure, Steelyard, Beam, Balance, Scale, or Weighing Machine forfeit and pay a Sum not exceeding Five Pounds, together with such Costs and Charges as may by such Justices be adjudged reasonable.

Justices
empowered
to appoint
Chief and
other Con-
stables of
County and
District Con-
stabulary
Force to be
Inspectors of
Weights and
Measures.

VI. And whereas by an Act passed in the Second and Third Years of Her present Majesty, intituled "An Act for the Establishment of County and District Constables by the Authority of Justices of the Peace," it is enacted, that all Chief or other Constables appointed under the said Act shall be restrained from employing themselves in any Office or Employment for Hire or Gain other than in the Execution of their Duties under the said Act: And whereas it is expedient that such Restriction be removed so far as is necessary for giving full Force and Effect to the Provisions herein-after contained: Be it therefore enacted, That nothing in the said Act contained shall extend to prevent any Chief or other Constable from being appointed to the Office of Inspector of Weights and Measures, and from discharging all the Duties and having and exercising all the Powers and Authorities to such Office belonging, or from receiving such Remuneration in respect thereof as shall be fixed and agreed upon by the Justices who shall make the said Appointment: Provided always, that every Chief or other Constable appointed as is herein provided shall be subject to the same Powers of Removal, Discharge, Reduction, and Alteration as any other Inspector of Weights and Measures appointed under and by virtue of the said recited Act of the Fifth and Sixth Years of King William the Fourth is or may be subject to.

Penalty for
Neglect or
Refusal to
produce
Weights, &c.
when re-

VII. And be it enacted, That all Persons who sell such Articles, Goods, or Chattels as aforesaid, or who collect or receive Tolls, Dues, or Money for the Carriage or Conveyance of Goods or Merchandize, and who shall neglect or refuse to produce to the Inspector when

when thereto required by him all Weights, Measures, Scales, Balances, Beams, and Weighing Machines which shall be in his, her, or their Possession, in order that the same may be examined and compared as aforesaid, and every Person wilfully or vexatiously obstructing
 5 or hindering, impeding, or delaying such Examination or Comparison, each and every Person so offending as aforesaid shall upon Conviction forfeit and pay a Sum not exceeding Five Pounds for every such Offence, together with such Costs and Charges as may by the Justice of the Peace before whom such Conviction shall take place be
 10 deemed reasonable.

VIII. And be it enacted, That it shall be lawful for every such Inspector at any Time or Times at his Discretion, or whenever he shall be ordered so to do by any such Justice as aforesaid, to visit and enter every Market Place, House, Shop, Stall, or other Place,
 15 or any Cart, Waggon, Truck, Barrow, or other Carriage, or any Ship, Vessel, Lighter, Boat, Barge, or Raft whatsoever within his District of or belonging to all Persons who sell Butter by Retail, or occupied or used by them for the Purpose of such Sale, and there to weigh all Butter exposed or kept for Sale, and in case on such
 20 weighing any of such Butter shall be found to be of light, defective, false, unequal, or unjust Weight, the same then and there shall be seized by him and become forfeited, and the Person or Persons in whose Possession the same shall be found shall on Conviction forfeit and pay a Sum not exceeding Forty Shillings, together with
 25 such Costs and Charges as may by the Justice before whom such Conviction shall take place be deemed reasonable.

IX. Provided always, and it is hereby enacted, That all Articles seized and forfeited under this Act shall be sold, and the Proceeds of the Sale thereof paid to the Treasurer of the County or Borough
 30 Rates or other Public Stock, to be applied in aid of the Expenses for carrying this Act into execution.

X. And be it enacted, That every Inspector appointed or to be appointed as aforesaid shall at all Times and in all Places be a competent Witness in proof of any Offence under this or any other Act
 35 or Acts relating to Weights and Measures, and it shall not be necessary for any such Inspector to produce his Appointment to his Office on the Hearing of any Information or Complaint before any Justices of the Peace or other Tribunal before whom the Hearing of any such Information or Complaint shall be brought or take place, and
 40 no Information in Writing shall be deemed necessary previously or in order to the Party offending being summoned to answer the Complaint, and no such Inspector shall be entitled to or be paid
 420. B any

quired by
Inspector.

Power of
Inspector to
visit Markets,
Houses,
Shops, &c. to
weigh Butter,
and to seize it
as forfeited
if deficient
in Weight.

Articles for-
feited under
this Act how
to be dis-
posed of.

Inspector a
competent
Witness in
Cases under
this Act.

No Infor-
mation in
Writing
necessary.
Inspector
not to have

any Part of any Part of any Penalty which may be imposed under this or the said recited Acts, or either of them.

Written Re-
turn of Days,
Times, and
Places visited
to be made
by Inspectors
to Justices
in Petty
Sessions, and
forwarded
by them to
Justices in
Quarter Ses-
sions.

XI. And be it enacted, That every such Inspector as aforesaid shall, at the Petty Sessions to be holden for each Division within his District in the Months of March, June, September, and December 5 in every Year, return in Writing to the Justices there assembled a Statement of the Parishes or Places within such Division, and the Number of Houses in each of such Parishes or Places which he shall have visited and inspected during the Three Months preceding such Return, and a Statement of the Days upon which such Visits and In- 10 spections were made by him, and that the said Justices so assembled in Petty Sessions as aforesaid shall cause the said Statement of the said Inspector, after it shall have been received and considered by them, to be sent to the Clerk of the Peace for the County, Riding, or Division, Liberty, City, Borough, Town, or Place, to be laid before 15 the Justices assembled at the Quarter Sessions then next to be there holden.

Appeal to
Quarter
Sessions.

XII. And be it enacted, That in every Appeal to the Justices at the General or Quarter Sessions which by the said recited Act of the Fifth and Sixth Years of His late Majesty King William the Fourth 20 is given or allowed, in case any such Appeal shall be decided in favour of the Appellant, or if in favour of the Respondent, and the Appellant shall not be adjudged to pay to the Respondent his Costs, or, being so adjudged, such Costs shall not be recovered from the Appellant or his Sureties, then and in either of the said Cases the 25 Costs of the Respondent, to be ascertained by the Court, shall, by Order of the then or any subsequent Court of Quarter Sessions, if the Court think fit to order Payment of the same, be paid out of the County Rate or other Rate in the Nature of a County Rate, and the Costs of the Appellant in every such Appeal, to be ascertained 30 as aforesaid, provided the said Appeal be determined in his Favour, shall, if the Court see fit so to order, be paid in like Manner out of the County Rate or other Rate in the Nature of a County Rate, but if the said Appeal shall be determined in favour of the Respondent then the Costs of the Respondent, to be ascertained as aforesaid, 35 shall, if the Court see fit so to order, be paid by the Appellant in the said Appeal, which said Costs shall be recovered and recoverable in the Manner provided for the Recovery of Costs by an Act passed 12 & 13 Vict. c. 45. in the Twelfth Year of Her present Majesty's Reign, intituled "An
" Act to amend the Procedure in Courts of General and Quarter 40
" Sessions of the Peace in England and Wales, and for the better
" Advancement of Justice in Cases within the Jurisdiction of those
" Courts."

XIII. And

XIII. And be it enacted, That all the Clauses and Provisions, Powers and Authorities, Penalties and Forfeitures, in the said recited Act of the Fifth and Sixth Years of His late Majesty King William the Fourth, save and except so far as the same are altered by this
5 Act, shall remain in full Force and Effect to all Intents and Purposes as if this Act had not been passed ; and all Penalties and Forfeitures by this Act imposed shall and may be recovered and enforced in the same Manner as the Penalties and Forfeitures under the said recited Act of the Fifth and Sixth Years of the Reign of His late Majesty
10 King William the Fourth.

Provisions of
5 & 6 W. 4.
to remain in
force, unless
altered by
this Act.

XIV. And be it enacted, That this Act may be amended or
repealed by any Act to be passed in this Session of Parliament.

Act may be
amended, &c.

Weights and Measures.

A

B I L L

[AS AMENDED BY THE COMMITTEE]

To alter and amend the Law relating to
Weights and Measures.

(Prepared and brought in by
Sir John Duckworth, Sir John Yarde Bulter, and
Colonel Clifford.)

Ordered, by The House of Commons, to be Printed,
5 June 1850.

420.

Under 1 oz.

15 July 1850. 13 & 14 VICT.



A

B I L L

[AS AMENDED BY THE COMMITTEE, ON RE-COMMITMENT, AND
ON CONSIDERATION OF THE BILL AS AMENDED]

TO

Alter and amend the Law relating to Weights and
Measures.

[Note.—*The Clause marked A. was added on Consideration of the
Bill as amended.*]

WHEREAS an Act passed in the Thirty-fifth Year of the Preamble.
Reign of His late Majesty King George the Third, inti-
tuled “An Act for the more effectual Prevention of the 35 G. 3.
“Use of defective Weights and of false and unequal Balances:” And c. 102.
5 whereas another Act passed in the Thirty-seventh Year of the Reign
of His said late Majesty King George the Third, intituled “An Act 37 G. 3.
“to explain and amend an Act made in the Thirty-fifth Year of His c. 143.
“(then) present Majesty, intituled ‘An Act for the more effectual
“‘Prevention of defective Weights and of false and unequal
10 “‘Balances:’” And whereas another Act passed in the Fifty-fifth
Year of the Reign of His said late Majesty King George the Third,
intituled “An Act for the more effectual Prevention of the Use of 55 G. 3. c. 43.
“false and deficient Measures:” And whereas another Act passed
in the Sixth Year of the Reign of His late Majesty King William the
15 Fourth, intituled “An Act to repeal an Act of the Fourth and Fifth 5 & 6 W. 4.
“Year of His (then) present Majesty relating to Weights and c. 63.
“Measures, and to make other Provisions instead thereof:” And Doubts whe-
whereas, notwithstanding the Provisions of the said last-recited Act, ther 37 G. 3.
Doubts have arisen and still exist whether the said Acts so passed in c. 143. and
20 the Thirty-seventh and Fifty-fifth Years of His said late Majesty 55 G. 3. c. 43.
are repealed.
King
552.

35 G. 3.
c. 102.,
37 G. 3.
c. 143., and
55 G. 3. c. 43.
repealed,
except so far
as relates to
former Acts,
and to the
Validity of
Acts done
or Appoint-
ments made
under them.

King George the Third as aforesaid have been wholly or in part repealed, or whether they still remain in force and unrepealed: And whereas it is expedient to repeal the same, and also the said Acts of the Thirty-fifth and Fifty-fifth Years of the Reign of King George the Third, by positive Enactment; and it is also expedient to alter 5 and amend the said Act of the Sixth Year of the Reign of King William the Fourth: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the 10 said recited Acts passed in the Thirty-fifth, Thirty-seventh, and Fifty-fifth Years of the Reign of His late Majesty King George the Third shall be and the same are hereby repealed, save and except so far as the said Acts or any of them repeal the whole or any Part of any former Act or Acts: Provided always, that nothing herein 15 contained shall extend to, or be construed to extend to, or interfere with any Acts done or Appointments made under the Authority of the said Acts or any of them, or to prevent the suing for or recovering of any Penalty incurred by any Offence committed against the Provisions of the said Acts or any of them, previous to the Repeal thereof in 20 and by this Act, or to hinder or defeat any Prosecution commenced or to be brought for such Offence, but that all Penalties and Forfeitures so incurred may be sued for and recovered in the same Manner as any Penalties and Forfeitures incurred under the Provisions of this Act are recoverable. 25

Examiners
to cease to
hold Office
on 1st Feb.
after passing
of this Act,
and to trans-
mit Standard
Weights to
Clerk of the
Peace.

II. And be it enacted, That on the First Day of February next after the passing of this Act all Persons heretofore appointed to the Office of Examiner of Weights and Measures under the said Acts of the Thirty-seventh and Fifty-fifth Years of His late Majesty King George the Third, shall cease to hold the same, and shall imme- 30 diately thereupon transmit to the Clerk of the Peace of the County, Riding, or Division, City, Town, or Place, all such Weights and Measures, Beams, Scales, Balances, Stamps, and other Articles as shall have been supplied to him and them by or at the Expense of such County, Riding, Division, City, Town, or Place: Provided 35 always, that in any Parish, Township, or Place in which any Person or Persons shall have been specially appointed under the said Acts of the Thirty-seventh and Fifty-fifth Years of His late Majesty King George the Third to examine the Weights, Balances, and Measures within such Parish, Township, and Place, where Weights 40 and Measures according to the Standard in the Exchequer shall have been supplied to him or them by or at the Expense of the said Parish, Township, or Place, the Person or Persons so specially appointed as aforesaid shall transmit the said Weights and Measures to

to such Person or Persons as the Justices, in their respective Petty Sessions for the Division or District wherein such Parish, Township, or Place shall lie, shall direct or appoint.

III. And be it enacted, That the said recited Act of the Fifth
5 Year of His late Majesty King William the Fourth and this Act
shall be read and construed as One Act; and that the Word "Place"
in the said last-recited Act shall be deemed and taken to mean and
include "Parish, Township, and Place;" and that the Words "Steel-
yards and other Weighing Machines" in the said last-recited Act
10 shall be deemed and taken to mean and include "Beams, Balances,
and Scales."

CLAUSE A.
Provisions of
5 & 6 W. 4.
c. 63. ex-
tended to
this Act; and
Interpreta-
tion of Terms
therein.

IV. And be it enacted, That this Act may be amended or
repealed by any Act to be passed in this Session of Parliament.

Act may be
amended, &c.

Weights and Measures.

A

B I L L

[AS AMENDED BY THE COMMITTEE, ON RE-COMMITMENT, AND ON CONSIDERATION OF THE BILL AS AMENDED]

To alter and amend the Law relating to Weights and Measures.

*(Prepared and brought in by
Sir John Duchworth, Sir John Yarde Buller, and
Colonel Clifford.)*

*Ordered, by The House of Commons, to be Printed,
15 July 1850.*

552.

Under 1 oz.

West India Appeals Bill.

ARRANGEMENT OF CLAUSES.

Her Majesty may establish a Court of Appeal for all or any of the Islands comprised in the Commission of the Governor of Antigua, on due Provision being made for the Establishment and Maintenance of such Court ; Sect. 1.

Her Majesty may establish a Court of Appeal for the Windward Islands comprised in the Commission of the Governor of Barbadoes, or any of them, in like Manner ; 2.

Jurisdiction of Court of Appeal may be extended to Islands not originally subject to it, when like Provisions are made by such Islands ; 3.

Jurisdiction may be exercised under Acts of Colonial Legislature by the Courts when sitting beyond the Limits of a Colony ; 4.

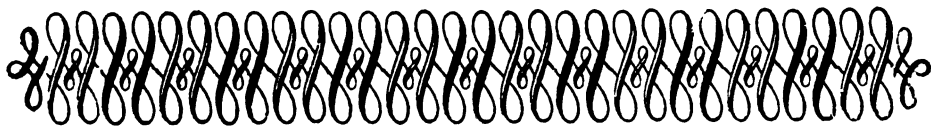
Jurisdiction of Court of Appeal may be varied by Acts of Colonial Legislature of the several Colonies ; 5.

Appeal to Her Majesty in Council ; 6.

6 & 7 W. 4. c. 17. not to be affected ; 7.

Amendment of Act ; 8.

13 May 1850. 13 VICT.



A

B I L L

INTITULED

An Act to authorize the Establishment of Courts
of Appeal for certain of Her Majesty's West
India Colonies.

WHEREAS the Councils and Assemblies of Her Majesty's Colonies of Antigua, Saint Christopher, and Dominica are desirous to provide an Appeal from the Judgments and Sentences of certain of the Courts of such Islands respectively to a Court to be holden in One of such Islands: And whereas it is expedient that Provision be made for the Establishment of Courts of Appeal as well for the said Islands as for others of Her Majesty's Colonies in the West Indies herein-after mentioned, where the local Legislatures may desire the Establishment thereof; but effectual Provision cannot be made for that Purpose without the Authority of Parliament: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That in case it appear to Her Majesty that by any Act or Acts already passed or hereafter to be passed by the Legislatures of the Colonies of Antigua, Saint Christopher, and Dominica, or of the other Colonies now comprised in the Commission of the Governor of Antigua, or by any of such Legislatures, and confirmed

Preamble.
Her Majesty may establish a Court of Appeal for any of the Islands comprised in the Commission

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336. A

of the Governor of Antigua, on due Provision being made for the Establishment and Maintenance of such Courts.

firmed by Her Majesty with the Advice of Her Privy Council, due Provision has been made for the Establishment and Maintenance of such Court of Appeal as herein-after mentioned, and for defining the Jurisdiction of such Court in relation to the Colony or Colonies for which such Act or Acts may be passed, it shall be lawful for 5 Her Majesty, by any Order to be by Her made with the Advice of Her Privy Council, to erect and establish for and in relation to the Colony or Colonies for which such Act or Acts may be passed a Court of Appeal, to consist of such Judge or Judges and to have such ministerial or other Officers thereof as by such Act or 10 Acts may be provided ; and such Court shall hold its Sittings in such Place or Places within the said Colonies or any of them, and at such Times, and shall have such Jurisdiction for the hearing and determining of such Appeals from Judgments, Decrees, Orders, and Rules, and other Determinations of all or any of the Courts of such Colony or Colonies, 15 as by such Act or Acts may be provided.

Her Majesty may establish a Court of Appeal for all or any of the Islands comprised in the Commission of the Governor of Barbadoes.

II. And be it enacted, That in case it appear to Her Majesty that by any Act or Acts to be passed by the Legislatures of the Colonies now comprised in the Commission of the Governor of Barbadoes, or any of such Legislatures, and confirmed by Her Majesty with the Advice of 20 Her Privy Council, due Provision has been made for the Establishment and Maintenance of such Court of Appeal as herein-after mentioned, and for defining the Jurisdiction of such Court in relation to the Colony or Colonies for which such Act or Acts may be passed, it shall be lawful for Her Majesty, by any Order to be by Her made 25 with the Advice of Her Privy Council, to erect and establish for and in relation to the Colony or Colonies for which such Act or Acts may be passed a Court of Appeal, to consist of such Judge or Judges and to have such ministerial or other Officers thereof as by such Act or Acts may be provided ; and such Court shall 30 hold its Sittings in such Place or Places within the said Colonies or any of them, and at such Times, and shall have such Jurisdiction for the hearing and determining of such Appeals from Judgments, Decrees, Orders, and Rules, and other Determinations of all or any of the Courts of such Colony or Colonies, as by such Act or Acts 35 may be provided.

Jurisdiction of Court may be extended over the Islands not originally subject to it.

III. And be it enacted, That in case, by reason of due Provision for the Purposes herein-before mentioned not having been made by such Acts as aforesaid in relation to all the Colonies now comprised in the Commission of the Governor of Antigua, or in relation to all the 40 Colonies now comprised in the Commission of the Governor of Barbadoes, a Court of Appeal shall have been established by such Order as aforesaid for some only of the Colonies comprised in either of the said

said Governments, and due Provision shall be afterwards made by Act or Acts to be passed by the Legislature or Legislatures of any other or others of the said Colonies now comprised in the same Commission, and confirmed by Her Majesty as aforesaid, for giving to
5 such Court Jurisdiction in relation to such Colony or Colonies or any of them, and for defining such Jurisdiction, and for contributing to the Maintenance of such Court, it shall be lawful for Her Majesty, by Order made with such Advice as aforesaid, to extend the Jurisdiction of such Court in relation to the Colony or Colonies in which
10 such Act or Acts may be passed accordingly.

IV. And be it enacted, That the Jurisdiction and Authority expressed to be given to any Court of Appeal to be established under this Act in relation to any of the said Colonies by any Act or Acts passed by the Legislature of such Colony, and confirmed
15 by Her Majesty as aforesaid, and all Jurisdiction and Authorities given to such Court by any such Order in Council as aforesaid in relation to such Colony, in accordance with any such Act or Acts as aforesaid, may, notwithstanding the Establishment of such Court, or the holding of the Sittings thereof, beyond the local Limits of
20 such respective Colony, be exercised as fully and effectually, and the Provisions of such Acts and Orders in Council in relation thereto shall have the same Force and Effect, as if the same had been given and enacted by Parliament.

Jurisdiction may be exercised under Acts of Colonial Legislature by the Courts when sitting beyond the Limits of a Colony.

V. Provided always, and be it enacted, That it shall be lawful for
25 the respective Legislatures of the several Colonies in relation to which any Court of Appeal established under this Act may have Jurisdiction, from Time to Time, by any Act or Acts confirmed by Her Majesty as aforesaid, to extend, restrict, or vary, in relation to such respective Colony and the Courts thereof, the Jurisdiction of
30 such Court of Appeal.

Jurisdiction may be varied by Acts of Colonial Legislature.

VI. And be it enacted, That it shall and may be lawful for Her Majesty, by any such Order or Orders of Her Majesty in Council as aforesaid, or by any other Order or Orders in Council to be made in that Behalf, to allow any Person or Persons feeling aggrieved by any
35 Judgment, Decree, Order, or Sentence of the said Courts of Appeal respectively to appeal therefrom to Her Majesty in Council, in such Manner, within such Time, and under and subject to such Rules, Regulations, and Limitations as Her Majesty by such Order or Orders in Council respectively shall appoint and prescribe.

Appeal to Her Majesty in Council.

40 VII. And be it enacted, That nothing in this Act shall be construed to interfere with or prevent the Operation of an Act passed in
336.

6 & 7 W. 4. c. 17. not to be affected.

in the Sixth Year of King William the Fourth, intituled "An Act to
 " make Provision for the better Administration of Justice in certain
 " of His Majesty's West India Colonies."

Act may be VIII. And be it enacted, That this Act may be amended or
 amended, &c. repealed in this present Session of Parliament. 5

West India Appeals.

A

B I L L

INTITULED

An Act to authorize the Establishment
 of Courts of Appeal for certain of Her
 Majesty's West India Colonies.

(Brought from the Lords 3 May 1850.)

*Ordered, by The House of Commons, to be Printed,
 13 May 1850.*

336.

Under 1 oz.

Woods, Forests, &c. Bill.

ARRANGEMENT OF CLAUSES.

Preamble recites 10 G. 4. c. 50., 2 & 3 W. 4. c. 1., 2 & 3 W. 4. c. 112. and 3 & 4 W. 4. c. 69.

Her Majesty may by Warrant appoint Three Commissioners of Woods, Forests, and Land Revenues; Sect. 1.

Repeal of the existing Enactments as to the Salaries of the Commissioners of Woods, &c.; Salaries of the First Commissioner and One other Commissioner only; 2.

Commissioners of Woods, &c. under this Act to perform the Duties of the present Commissioners of Woods, &c., except as otherwise provided by this Act; 3.

Two Commissioners or First Commissioner of Woods, &c. may act in certain Cases; Proviso; 4.

Officers in Office of Woods, &c. to continue; 5.

Treasury may abolish any Offices in the Department of Woods; 6.

Monies in Banks, and Stock, to be transferred to new Commissioners of Woods; 7.

First Commissioner and other paid Commissioner of Woods, &c. not to sit in the House of Commons; 8.

Three Commissioners of Public Works to be appointed; 9.

Secretary, Clerks, &c.; 10.

Salaries; 11.

Treasury may transfer the Officers from the Office of Woods to the Office of the Commissioners of Public Works; 12.

First Commissioner of Public Works may sit in the House of Commons; 13.

Commissioners of Public Works to perform the Duties formerly performed by Surveyor General; 14.

Duties of Commissioners of Woods, in relation to Royal Parks, &c., and under the Acts in Schedule, vested in Commissioners of Public Works; 15.

Powers as to Parts of the Parks preserved to Commissioners of Woods; 16.

Powers to charge the Land Revenues to be exercised with Concurrence of Commissioners of Woods ; 17.

Certain *ex officio* Commissionerships to be vested in First Commissioner of Public Works ; 18.

Salaries and Expenses of Commissioners of Works to be provided for by Parliament ; 19.

Two Commissioners or First Commissioner of Public Works may act ; 20.

Property vested in Commissioners of Woods under Acts in Schedule to vest in Commissioners of Public Works ; 21.

Monies in Banks, and Stock, transferred to Commissioners of Public Works ; 22.

Matters done or commenced by old Commissioners not to be annulled ; Suits pending to be carried on in the Name of the new Commissioners of Woods ; 23.

Expenses incurred by new Commissioners of Woods in completing Proceedings relating to Duties of Commissioners of Public Works to be deemed Expenses of such last-mentioned Commissioners ; 24.

Transfer of Contracts in respect of Works ; 25.

Commissioners of Public Works and Commissioners of Woods to observe the Directions of the Treasury ; 26.

Regulations at present applicable to the Commissioners of Woods, &c. to be observed by the Commissioners of Public Works and the Commissioners of Woods ; 27.

Treasury may transfer Duties vested in Commissioners of Woods under Local or Personal Acts to Commissioners of Public Works ; Proviso ; 28.

Powers of the Treasury under 11 & 12 Vict. c. 102. to regulate the Accounts of the present Commissioners of Woods, &c. to be applied to the Accounts of the Commissioners under this Act ; 29.

Act may be amended or repealed ; 30.

SCHEDULE

22 February 1850. 13 VICT.



A

B I L L

TO

Make better Provision for the Management of the
Woods, Forests, and Land Revenues of the
Crown, and for the Direction of Public Works
and Buildings.

[Note.—The Words printed in *Italics* are proposed to be inserted
in the Committee.]

WHEREAS by an Act of the Tenth Year of the Reign of Preamble.
King George the Fourth, intituled “ An Act to consolidate 10 G. 4. c. 50.
“ and amend the Laws relating to the Management and
“ Improvement of His Majesty’s Woods, Forests, Parks, and Chaces,
5 “ of the Land Revenue of the Crown within the Survey of the
“ Exchequer in England, and of the Land Revenue of the Crown in
“ Ireland, and for extending certain Provisions relating to the same
“ to the Isles of Man and Alderney,” the Possessions and Land
Revenues of the Crown to which the said Act relates, in England or
10 Wales, in Ireland, in the Isle of Man and its Dependencies, and the
Isle of Alderney, were placed or continued under the Management
of the Commissioners of His Majesty’s Woods, Forests, and Land
Revenues, and of their Successors, to be from Time to Time appointed
as therein mentioned : And whereas by an Act passed in the Second
15 Year of the Reign of King William the Fourth, intituled “ An Act 2 & 3 W. 4.
“ for uniting the Office of the Surveyor General of His Majesty’s c. 1.
77. A “ Works

“ Works and Public Buildings with the Office of the Commissioners
 “ of His Majesty’s Woods, Forests, and Land Revenues, and for
 “ other Purposes relating to the Land Revenues,” it was enacted,
 that it should be lawful for His Majesty, His Heirs and Successors,
 from Time to Time, by Letters Patent under the Great Seal, to 5
 appoint, in the Place of the Commissioners of Woods, Forests, and
 Land Revenues, and of the Surveyor General of His Majesty’s Works
 and Public Buildings, any Persons, not exceeding Three in Number,
 to be Commissioners for performing the Duties and exercising the
 Powers then performed and exercisable by the Commissioners of 10
 His Majesty’s Woods, Forests, and Land Revenues, and the Duties
 and Powers then performed and exercisable by the Surveyor
 General of His Majesty’s Works and Public Buildings; the Persons
 so appointed to be called “ The Commissioners of His Majesty’s
 Woods, Forests, Land Revenues, Works, and Buildings : ” And 15
 whereas under and by virtue of an Act passed in the Third Year
 of the Reign of His said Majesty King William the Fourth, inti-
 tuled “ An Act to authorize the Hereditary Land Revenues of the
 “ Crown in Scotland being placed under the Management of the
 “ Commissioners of the Land Revenues,” and an Act passed in the 20
 Fourth Year of the same Reign, intituled “ An Act to extend and
 “ enlarge the Powers of the Commissioners of His Majesty’s Woods,
 “ Forests, Land Revenues, Works, and Buildings in relation to the
 “ Management and Disposition of the Land Revenue of the Crown
 “ in Scotland,” the Land Revenues of the Crown in Scotland (except 25
 as by the said Acts excepted) were placed under the Management of
 the said Commissioners for the Time being of His Majesty’s Woods,
 Forests, Land Revenues, Works, and Buildings : And whereas the
 Powers of such Commissioners in relation to Land Revenues of the
 Crown have been altered and extended by other Acts of Parliament : 30
 And whereas by the several Acts mentioned in the Schedule to this
 Act certain Duties and Powers have been imposed on and vested in
 the Commissioners of Her Majesty’s Woods, Forests, Land Revenues,
 Works, and Buildings, for and in relation to the Improvement of the
 Metropolis, and the other Purposes in such Acts mentioned : And 35
 whereas it is expedient that the Direction of Public Works and Build-
 ings, and such of the Duties imposed on the said Commissioners
 appointed under the said Act of the Second Year of King William the
 Fourth as do not concern the Possessions and Land Revenues of the
 Crown, should be separated from the Management of such Posses- 40
 sions and Land Revenues, and should be intrusted to Commissioners
 to be specially appointed for that Purpose : Be it therefore enacted by
 the Queen’s most Excellent Majesty, by and with the Advice and
 Consent of the Lords Spiritual and Temporal, and Commons, in this
 present Parliament assembled, and by the Authority of the same, 45
 That

2 & 3 W. 4.
c. 112.

3 & 4 W. 4.
c. 69.

That it shall be lawful for Her Majesty, at any Time after the passing of this Act, and so from Time to Time, by Warrant under Her Royal Sign Manual, to appoint *Three* Persons to be Commissioners, during Her Majesty's Pleasure, to be styled "The Commissioners of Her Majesty's Woods, Forests, and Land Revenues;" and the Person first named in the Warrant by which such Commissioners shall be appointed shall be the Chairman of the Commission, and be called "The First Commissioner of Her Majesty's Woods, Forests, and Land Revenues."

Her Majesty may by Warrant appoint *Three* Commissioners of Woods, Forests, and Land Revenues.

10 II. And be it enacted, That from and after the Appointment of Commissioners as aforesaid under this Act so much of the said Acts of the Second Year of King William the Fourth and of the Tenth Year of King George the Fourth as relates to the Salaries of Commissioners shall be repealed; and there shall be paid to the First
15 Commissioner of Her Majesty's Woods, Forests, and Land Revenues for the Time being such Salary, not exceeding *Fourteen hundred Pounds* per Annum, and to One other of the said Commissioners such Salary, not exceeding *One thousand Pounds* per Annum, as shall from Time to Time be appointed by the Commissioners of Her Majesty's
20 Treasury; but no Salary for acting in the Execution of this Act shall be paid to more than *Two* of the said Commissioners.

Repeal of the existing Enactments as to the Salaries of the Commissioners of Woods, &c. Salaries of the First Commissioner and One other Commissioner only.

III. And be it enacted, That upon the Appointment of Commissioners as aforesaid under this Act the Appointment of Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and
25 Buildings shall cease, and, except as otherwise provided by this Act, all Duties and Powers which if this Act had not been passed would have been performed and exercised, and all Rights, Privileges, Hereditaments, Properties, and Exemptions whatsoever enjoyed by or vested in the Commissioners of Her Majesty's Woods, Forests, Land
30 Revenues, Works, and Buildings, or the First Commissioner of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings for the Time being, shall be performed and exercised, enjoyed or vested, by and in the Commissioners or the First Commissioner of Her Majesty's Woods, Forests, and Land Revenues for the Time being
35 appointed under this Act; and, except as otherwise provided by this Act, all Acts of Parliament, Deeds, Bonds, Contracts, Agreements, and other Instruments in which the Commissioners or First Commissioner of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, or the Commissioners or First Commissioner of Her
40 Majesty's Woods, Forests, and Land Revenues, are or is named or mentioned, shall apply to the Commissioners or First Commissioner for the Time being of Her Majesty's Woods, Forests, and Land Revenues appointed under this Act, as if such last-mentioned Com-
missioners

Commissioners of Woods, &c. under this Act to perform the Duties of the present Commissioners of Woods, &c., except as otherwise provided by this Act.

missioners or Commissioner, as the Case may be, had been originally named or mentioned in such Acts of Parliament, and named or mentioned in or made Parties to such Deeds, Bonds, Contracts, Agreements, and other Instruments respectively, instead of the Commissioners or Commissioner named or mentioned therein or made Parties thereto.

Two Commissioners or First Commissioner of Woods, &c. may act in certain Cases.

Proviso.

IV. And be it enacted, That where, under any Act heretofore passed, anything required, directed, or permitted to be done by the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, and which if done by Two of them would by Law be as valid and effectual as if done by all of them, and where anything is by this Act or shall by any future Act be required, directed, or permitted to be done by the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, unless express Provision be made to the contrary by such future Act, the same may be done by any Two of them, or by the First Commissioner of Her Majesty's Woods, Forests, and Land Revenues alone: Provided always, that every Sale, Exchange, Conveyance, Lease, Grant, Mortgage, or Charge of or affecting any Part of the Possessions and Land Revenues of the Crown shall be made by at least Two of the said Commissioners.

Officers in Office of Woods, &c. to continue.

V. And be it enacted, That, subject to the Powers herein given to the Commissioners of Her Majesty's Treasury in relation to such Officers, the Officers now in the Department or under the Control and Direction of the Commissioners of Woods, Forests, Land Revenues, Works, and Buildings shall, upon the Appointment of Commissioners of Woods, Forests, and Land Revenues under this Act, be in the Department or under the Control and Direction of such Commissioners; but such Officers shall be removable by the Commissioners of Her Majesty's Treasury; and all Officers hereafter to be appointed for such Department shall be appointed and may be removed by such last-mentioned Commissioners.

Treasury may abolish any Offices in the Department of Woods.

VI. Provided always, and be it enacted, That it shall be lawful for the Commissioners of Her Majesty's Treasury at any Time to abolish or reduce any Office or Offices connected with the Management of the Possessions and Land Revenues of the Crown, or the Collection and Receipt of the Income thereof, or otherwise in the Department or under the Control and Direction of the Commissioners of Woods, Forests, Land Revenues, Works, and Buildings, which may appear to them useless, or to make any Arrangement in relation to any such Office, or the Performance of the Duties thereof, which may appear to them expedient.

VII. And

VII. And be it enacted, That, except as otherwise provided by this Act, and subject to the Powers vested in the Commissioners of Her Majesty's Treasury under this Act, all Monies which at the Time of the first Appointment of the Commissioners of Her Majesty's Woods, Forests, and Land Revenues under this Act shall be in the Bank of England, in the Bank of Ireland, in the Royal Bank of Scotland, or in any other Bank, placed to the Credit of any Account or Accounts under the Control of the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, shall, immediately after the Appointment of the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, be transferred, and the Governors and Managers of such Banks respectively are hereby authorized and required to transfer the same Monies respectively, to the Credit of a like Account under the Control of the Commissioners of Her Majesty's Woods, Forests, and Land Revenues; and all Government Annuities, Stocks, Funds, and Securities which at the Time aforesaid shall be standing in the Books of the Governor and Company of the Bank of England, in the Names of the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, shall, immediately after the Appointment of the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, be transferred, and the Governor and Company of the Bank of England are hereby required and authorized to transfer the same, into the Names of the Commissioners of Her Majesty's, Woods, Forests, and Land Revenues.

Monies in Banks, and Stock, to be transferred to new Commissioners of Woods, &c.

VIII. And whereas by the said Act of the Second Year of King William the Fourth it is enacted, that any One of the Commissioners of Woods, Forests, Land Revenues, Works, and Buildings for the Time being, and no more, shall be capable of sitting and voting as a Member of the House of Commons: Be it enacted, That the said recited Enactment shall be repealed; and that neither the First Commissioner, nor such other of the Commissioners of Her Majesty's Woods, Forests, and Land Revenues for the Time being as shall receive a Salary under this Act, shall be capable of being elected or of sitting or voting as a Member of the House of Commons.

First Commissioner, and other paid Commissioner of Woods, &c. not to sit in the House of Commons.

IX. And be it enacted, That it shall be lawful for Her Majesty, at any Time after the passing of this Act, and so from Time to Time, by Warrant under Her Royal Sign Manual, to appoint *Three* Persons, to be, during Her Majesty's Pleasure, Commissioners, to be styled "The Commissioners of Public Works;" and the Person first named in the Warrant by which such Commissioners shall be appointed shall be the Chairman of the Commission, and be called "The First Commissioner of Public Works."

Her Majesty may by Warrant appoint *Three* Commissioners of Public Works.

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B

X. And

Secretary,
Clerks, &c.

X. And be it enacted, That it shall be lawful for the Commissioners of Her Majesty's Treasury from Time to Time to appoint a Secretary, and such Clerks, Messengers, and Officers as they may deem necessary, for the Department of the Commissioners of Public Works, and to remove such Secretary, Clerks, Messengers, and Officers, or any of them. 5

Salaries.

XI. And be it enacted, That there shall be paid to the First Commissioner of Public Works such Salary, not exceeding *Two thousand Pounds* per Annum, and to the said Secretary, Clerks, Messengers, and Officers such Salaries as shall be from Time to Time appointed 10 by the Commissioners of Her Majesty's Treasury; but no Commissioner of Public Works, other than such First Commissioner, shall have any Salary for acting in the Execution of this Act.

Treasury
may transfer
the Officers
from the
Office of
Woods to
the Office of
the Com-
missioners
of Public
Works.

XII. Provided always, and be it enacted, That it shall be lawful for the Commissioners of Her Majesty's Treasury to direct that all or 15 any of the Surveyors, Clerks, or Officers now employed by the Commissioners of Woods, Forests, Land Revenues, Works, and Buildings, wholly or in part, in relation to the Duties to be performed by the Commissioners of Public Works under this Act, be transferred to and employed in the Office of the Commissioners of Public 20 Works; and the Salaries of the Surveyors, Clerks, and Officers so transferred, and all Charges in relation thereto, shall cease to be chargeable on the annual Income of the Possessions and Land Revenues of the Crown, and shall be paid as herein provided concerning the other Expenses of the Commissioners of Public Works. 25

First Com-
missioner
of Public
Works may
sit in the
House of
Commons.

XIII. And be it enacted, That the First Commissioner of Public Works for the Time being shall be capable of being elected and of sitting and voting as a Member of the House of Commons.

Commission-
ers of Public
Works to
perform the
Duties for-
merly per-
formed by
Surveyor
General.

XIV. And be it enacted, That after the Appointment of Commis- 30 sioners of Public Works under this Act all the Duties and Powers which would have been performed and exercised by the Surveyor General of Her Majesty's Works and Public Buildings if the said Act of the Second Year of King William the Fourth had not been passed, and the Exemptions and Privileges which would have been enjoyed by the said Surveyor General if such Act had not been passed, 35 shall be performed, exercised, and enjoyed by such Commissioners of Public Works for the Time being; and all Acts of Parliament, Deeds, and other Instruments made previously to the passing of the said Act of the Second Year of King William the Fourth, in which the Surveyor General of Works and Public Buildings is mentioned, shall 40 apply to the Commissioners of Public Works for the Time being, as if such

such Commissioners of Public Works had been originally named or mentioned in such Acts of Parliament, or named or mentioned in or made Parties to such Deeds and Instruments respectively, instead of such Surveyor General.

- 5 XV. And be it enacted, That the Commissioners of Public Works for the Time being appointed under this Act shall perform and exercise the Duties and Powers which if this Act had not been passed would have been performed and exercised by Her Majesty's Commissioners of Woods, Forests, Land Revenues, Works, and Buildings in relation to the Royal Parks, Gardens, and Possessions herein-after mentioned ; (that is to say,)
- 15 Saint James's, } Parks,
Hyde, and }
Green }
- 15 Kensington Gardens,
Chelsea Gardens,
The Treasury Garden,
Regent's Park,
Primrose Hill,
20 Victoria Park,
Battersea Park,
Greenwich Park,
Kew Gardens, Pleasure Grounds, and Green,
Kew and Richmond Roads,
25 Hampton Court Gardens and Road,
The Phoenix Park, and
Holyrood Park ;
- and the Commissioners or First Commissioner of Public Works for the Time being shall also perform and exercise all the Duties and Powers under the several Acts mentioned in the Schedule to this Act which would have been performed and exercised by the Commissioners or First Commissioner for the Time being of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings if this Act had not been passed, except as herein-after provided ; and all such Acts shall, except as herein-after provided, be construed to apply to the Commissioners or First Commissioner of Public Works for the Time being, as if such Commissioners or First Commissioner had been originally named, mentioned, or incorporated therein, instead of the Commissioners or First Commissioner of Woods, Forests, and Land Revenues, or of Woods, Forests, Land Revenues, Works, and Buildings (as the Case may be).

Duties of Commissioners of Woods in relation to Royal Parks, &c., and under the Acts in Schedule, vested in Commissioners of Public Works.

XVI. Provided always, and be it enacted, That all such Houses, Gardens, and Portions of Ground within any of the Royal Parks

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Powers as to Parts of the Parks pre-served to herein-

Com-
mis-
sioners of
Woods.

herein-before mentioned as are now leased or let shall be under the Management of the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, and all the Powers of leasing such Parts of Victoria Park and Battersea Park respectively as if this Act had not been passed might from Time to Time be leased by the Com- 5 missioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, and all Powers in relation to the Parts so to be leased which would have been vested in or might have been exercised by such last-mentioned Commissioners, shall be vested in and may be exercised by the Commissioners of Her Majesty's Woods, Forests, 10 and Land Revenues.

Powers to
charge the
Land Reve-
nues to be
exercised
with Con-
currence of
Commis-
sioners of
Woods.

XVII. Provided also, and be it enacted, That where under any of the Acts mentioned in the Schedule to this Act Powers or Authorities are given to charge any of the Hereditary Possessions or Land Revenues of the Crown or the Income thereof, or otherwise to affect 15 or prejudice such Hereditary Possessions or Land Revenues or Income, all such Powers and Authorities shall be exercised by the Commissioners or First Commissioner of Public Works with the Concurrence of the Commissioners of Woods, Forests, and Land Revenues for the Time being. 20

Certain ex
officio Com-
missioner-
ships vested
in First Com-
missioner of
Works.

XVIII. And be it enacted, That after the Appointment of Commis- sioners of Public Works the First Commissioner of Public Works for the Time being shall come in the Place and be the Successor of the First Commissioner of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings as an Inclosure Commissioner for England and 25 Wales, a Commissioner of Greenwich Hospital, a Commissioner for carrying into execution the Acts relating to Highland Roads and Bridges, One of Her Majesty's Commissioners for building new Churches, and a Member and the President of the General Board of Health, and such First Commissioner of Public Works shall have 30 such Direction and Superintendence of the Geological Survey of the United Kingdom as is now vested in the First Commissioner of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings.

Salaries and
Expenses of
Commis-
sioners of
Works to be
provided for
by Parlia-
ment.

XIX. And be it enacted, That the Salaries of the First Commis- sioner of Public Works and of the Officers in the Department of the 35 Commissioners of Public Works, and the incidental Expenses of such Department, and all the Expenses to be incurred by the Commis- sioners of Public Works, or any of them, in the Performance and Exercise of the Duties and Powers vested in such Commissioners under this Act, save such Expenses as shall be defrayed out of 40 Monies provided by or under the Acts mentioned in the Schedule to this Act, or out of Monies to be transferred to the Credit of or to be

be payable to or applicable by such Commissioners under the Provisions herein-after contained, shall be defrayed out of such Monies as shall be from Time to Time provided by Parliament.

XX. And be it enacted, That anything by this Act authorized to be done by the Commissioners of Public Works, and anything which by any future Act may be authorized to be done by such Commissioners, unless express Provision to the contrary be made by such future Act, may be done by any Two of such Commissioners or by the First Commissioner of Public Works.

Two Commissioners or First Commissioner of Public Works may act.

XXI. And be it enacted, That all the Lands, Tenements, Hereditaments, and Property whatsoever which at the Time of the Determination of the Appointment of the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings shall be vested in such Commissioners, in a corporate Capacity or otherwise, and whether so vested in such Commissioners alone or jointly with others, under or for the Purposes of any of the Acts mentioned in the Schedule to this Act, shall upon the Appointment of the Commissioners of Public Works under this Act be vested in such Commissioners and their Successors, in the like corporate Capacity or otherwise, as the Case may require, alone or jointly as aforesaid, for the Estate or Interest and Purposes and subject to the Rights and Equities for and subject to which the same respectively were vested in the Commissioners of Woods, Forests, Land Revenues, Works, and Buildings.

Property vested in Commissioners of Woods under Acts in Schedule to vest in Commissioners of Public Works.

XXII. And be it enacted, That, subject to the Powers vested in the Commissioners of Her Majesty's Treasury under this Act, all Monies which at the Time of the first Appointment of the Commissioners of Public Works shall be in the Bank of England, in the Bank of Ireland, in the Royal Bank of Scotland, or in any other Bank, placed to the Credit of any Account or Accounts under the Control of the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, Works, and Buildings, under or for the Purposes of any of the Acts mentioned in the Schedule to this Act, or for the Purposes of any Duties or Powers vested in the Commissioners of Public Works under this Act, shall immediately after the Appointment of such Commissioners of Public Works be transferred, and the Governors and Managers of such Banks respectively are hereby authorized and required to transfer the same Monies respectively, to the Credit of a like Account under the Control of the Commissioners of Public Works, and all Monies which would have been payable to or applicable by the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, under or for the Purposes of

Monies in Banks, and Stock, to be transferred to Commissioners of Public Works.

any of such last-mentioned Acts, or for the Purposes of any of the Duties or Powers vested in the Commissioners of Public Works under this Act, shall be payable to and applicable by such last-mentioned Commissioners; and all Government Annuities, Stocks, Funds, and Securities which at the Time of the First Appointment of Commissioners of Public Works under this Act shall be standing in the Books of the Governor and Company of the Bank of England, in the Names of the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, under or for the Purposes of any of the Acts mentioned in the Schedule to this Act, shall immediately after the Appointment of such Commissioners of Public Works be transferred, and the Governor and Company of the Bank of England are hereby required and authorized to transfer the same, to Accounts to be opened in the Names of the Commissioners of Public Works for the like Purposes.

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Matters done or commenced by old Commissioners not to be prejudiced.

Suits pending to be carried on in the Name of the new Commissioners of Woods.

XXIII. Provided always, and be it enacted, That nothing herein contained shall annul or prejudice any Sale, Purchase, Exchange, Contract, Mortgage, Security, Charge, or other Act, Matter, or Thing which shall have been made, done, created, entered into, or commenced by, or any Action, Suit, or Proceeding whatsoever which shall have been commenced or instituted by or against the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings; and the Commissioners of Her Majesty's Woods, Forests, and Land Revenues appointed under this Act, for the Purpose of prosecuting or defending and carrying on all Actions, Suits, and Proceedings which shall be pending at the Time of their first Appointment (and that without the Necessity of substituting the Names of the Commissioners of Her Majesty's Woods, Forests, and Land Revenues in lieu of the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, and whether such Actions, Suits, or Proceedings be or be not in relation to Duties or Powers which are to remain within their Cognizance, or may have been commenced or instituted under the Acts mentioned in the Schedule to this Act, or otherwise), shall come into the Place of and be deemed to be the Successors of the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings.

Expenses incurred by new Commissioners of Woods in completing Proceedings relating to Duties of Commis-

XXIV. Provided also, and be it enacted, That where any Action, Suit, or Proceeding instituted or commenced before the Appointment of Commissioners of Public Works under this Act by or against the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, in respect of any Duties or Powers vested in the Commissioners of Public Works under this Act, shall be pending at the Time of the first Appointment of such last-mentioned Commissioners,

missioners, and the same shall be prosecuted, defended, or carried on by or in the Name of the Commissioners of Her Majesty's Woods, Forests, and Land Revenues for the Time being appointed under this Act, all the Expenses incident to such Actions, Suits, and Proceedings after the first Appointment of such Commissioners of Public Works shall be deemed Expenses of such last-mentioned Commissioners, unless the Commissioners of Her Majesty's Treasury for the Time being shall otherwise direct.

Commissioners of Public Works to be deemed Expenses of such last-mentioned Commissioners.

XXV. And be it enacted, That where any Contract has been entered into by the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings in respect of any Duties or Powers vested in the Commissioners of Public Works under this Act, and such Contract has not been fully performed and completed before the Appointment of Commissioners of Public Works under this Act, the same may be enforced and shall be performed and completed by such Commissioners of Public Works, in like Manner as if such Commissioners had been named therein or made Parties thereto instead of the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings; and where any Contract has been entered into as aforesaid, as well in respect of other Duties or Matters as in respect of Duties and Powers vested in the said Commissioners of Public Works under this Act, or where it appears to the Commissioners of Her Majesty's Treasury that Doubts may arise whether the Rights and Obligations upon and under any Contract which has been entered into by the said Commissioners of Woods, Forests, Land Revenues, Works, and Buildings are or are not transferred to the Commissioners of Public Works, it shall be lawful for the Commissioners of Her Majesty's Treasury to direct that such Contract may be enforced and shall be performed and completed by the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, or by the Commissioners of Public Works, as the Commissioners of Her Majesty's Treasury may see fit; and the Commissioners of Her Majesty's Treasury may direct by which Department the Expenses to be incurred in relation to such Contract shall be borne, and may apportion any such Expenses between the respective Departments; and the Benefit and Obligation of such Contract shall be deemed to be vested in the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, or the Commissioners of Public Works, (as the Case may be,) according to such Direction, as if the Commissioners by whom the same is directed to be enforced, performed, and completed had been named therein or made Parties thereto instead of the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings.

Transfer of Contracts in respect of Works.

Commission-
ers of Public
Works and
Commission-
ers of Woods,
&c. to observe
the Direc-
tions of the
Treasury.

XXVI. And be it enacted, That the Commissioners of Public Works and Commissioners of Her Majesty's Woods, Forests, and Land Revenues respectively shall for the Time being observe, perform, fulfil, and keep all and singular the Orders, Instructions, and Directions, not inconsistent with the Acts for the Time being in force 5 in relation to their respective Offices, which from Time to Time shall be made or given to them by the Commissioners of Her Majesty's Treasury for the Time being, touching or concerning the Execution and Discharge of the Duties of such Offices, and for the effectual Distribution and Arrangement of the Duties and Powers which are 10 to be performed and exercised by such Commissioners of Public Works and of Woods, Forests, and Land Revenues respectively.

Regulations
at present
applicable to
the Commis-
sioners of
Woods, &c.
to be ob-
served by the
Commis-
sioners of
Public Works
and the Com-
missioners
of Woods.

XXVII. And be it enacted, That all Instructions, Orders, and Directions which, in pursuance of and conformably to the Directions of any Act or Acts of Parliament, the Commissioners of Her Majesty's 15 Treasury have heretofore prepared, and transmitted to the Surveyor General, for the Conduct of the Business of the Office of Works, or for the Regulation or Control of the Expenditure thereof in any of its Branches or Departments, or concerning the Duties of the Office of the Commissioners of Her Majesty's Woods, Forests, 20 Land Revenues, Works, and Buildings, shall be binding upon, observed, and kept by the Commissioners of Public Works and the Commissioners of Her Majesty's Woods, Forests, and Land Revenues respectively in relation to their respective Departments, in like Manner as the same Instructions, Orders, and Directions 25 respectively are now binding upon and are or ought to be observed and performed by the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, until such Instructions, Orders, and Directions respectively shall be revoked or varied under the Power herein contained. 30

Power to the
Treasury to
transfer
Duties vested
in Commis-
sioners of
Woods under
local or per-
sonal Acts to
Commission-
ers of Public
Works.

XXVIII. And be it enacted, That in case it appear to the Commis- sioners of Her Majesty's Treasury for the Time being that it is expe- dient that any Duties or Powers which under the Provisions of any local or personal Act are vested in the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, 35 and are under the Provisions of this Act transferred to the Commis- sioners of Her Majesty's Woods, Forests, and Land Revenues, should be transferred to the Commissioners of Public Works, it shall be lawful for the Commissioners of Her Majesty's Treasury, by Order under their Hands, to transfer such Duties or Powers accordingly, 40 and from and after the Time in such Order mentioned, and subject to the Provisions of such Order, such Duties or Powers shall be vested in the Commissioners of Public Works: Provided always, that

Proviso.

no

no such Order shall be made for the Transfer as aforesaid of any Duties or Powers vested under this Act in the Commissioners of Her Majesty's Woods, Forests, and Land Revenues without Her Majesty's Warrant under Her Royal Sign Manual for that Purpose
5 obtained.

XXIX. And be it enacted, That all the Powers and Authorities which under an Act of the Twelfth Year of Her Majesty, mentioned in the Schedule to this Act, and intituled "An Act to enlarge the
10 " Powers of an Act empowering the Commissioners of Her Majesty's
" Woods to form a Royal Park in Battersea Fields, to facilitate the
" raising of Monies authorized to be raised by the said Commissioners
" for Metropolitan Improvements, and to regulate and simplify the
" Mode of keeping the Accounts of the Commissioners of Her
" Majesty's Woods," are vested in the Commissioners of Her Ma-
15 jesty's Treasury for making from Time to Time Rules and Regula-
tions and General and Special Orders with respect to the Receipt
and Payment of Monies by or on behalf of the Commissioners of
Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings,
the Persons to be employed in conducting such Receipts and Pay-
20 ments, and the Manner, Form, and Place in which the Accounts of
such Receipts and Payments shall be kept, and with respect to the
Payment and Transfer of Monies from and into any general or
special, particular or separate Account of the Commissioners of Her
Majesty's Woods, Forests, Land Revenues, Works, and Buildings,
25 and with respect to the Form in which Cheques or Orders for the
Payment of Monies placed to any Account of the Commissioners of
Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings
shall be drawn, and with respect to the Appointment of Persons to
draw such Cheques or Orders in the Names of such Commissioners,
30 and to countersign such Cheques, shall extend and be applicable and
be exercised concerning the like Matters in relation to the Commis-
sioners of Her Majesty's Woods, Forests, and Land Revenues and
the Commissioners of Public Works respectively appointed under this
Act, in the same Manner as if the Provisions of the said Act of the
35 Twelfth Year of Her Majesty, concerning such Powers and Autho-
rities, were repeated and re-enacted in this Act, and the Commissioners
of Her Majesty's Woods, Forests, and Land Revenues and the
Commissioners of Public Works respectively were in every Case
substituted for the Commissioners of Her Majesty's Woods, Forests,
40 Land Revenues, Works, and Buildings.

Powers of the Treasury, under 11 & 12 Vict. c. 102, to regulate the Accounts of the present Commissioners of Woods, &c., to be applied to the Accounts of the Commissioners under this Act.

XXX. And be it enacted, That this Act may be amended or
repealed in this present Session of Parliament.

Act may be amended.

The SCHEDULE.

- 4 G. 4. c. 74.
(Holyhead Roads.) An Act for vesting in Commissioners the Bridges now building over the Menai Straits and the River Conway, and the Harbours of Howth and Holyhead, and the Road from Dublin to Howth, and for the further Improvement of the Road from London to Holyhead.
- 9 G. 4. c. 25.
(Holyhead Roads.) An Act for the further Improvement of the Road from London to Holyhead, and of the Road from London to Liverpool.
- 3 & 4 W. 4. c. 43.
(Holyhead Roads.) An Act for transferring to the Commissioners of His Majesty's Woods and Forests the several Powers now vested in the Holyhead Road Commissioners, and for discharging the last-mentioned Commissioners from the future Repairs and Maintenance of the Roads, Harbours, and Bridges now under their Care and Management.
- 4 & 5 W. 4. c. 66.
(Menai and Conway Bridge.) An Act for empowering the Commissioners of His Majesty's Woods, Forests, Land Revenues, Works, and Buildings to pay the net Proceeds of the Tolls of the Menai and Conway Bridges into the Receipt of His Majesty's Exchequer at Westminster, to the Account of the Consolidated Fund.
- 5 & 6 W. 4. c. 21.
(Shrewsbury and Holyhead Roads.) An Act to amend and alter an Act of the Fifty-ninth Year of His late Majesty King George the Third, for vesting in Commissioners the Line of Road from Shrewsbury in the County of Salop to Bangor Ferry in the County of Carnarvon, and for discharging the Trustees under the several Acts of the Seventeenth, Twenty-eighth, Thirty-sixth, Forty-first, Forty-second, Forty-seventh, and Fiftieth Years of His then present Majesty from the future Repair and Maintenance thereof, and for repealing so much of the said Acts as affects the said Line of Road.
- 6 & 7 W. 4. c. 35.
(Holyhead Roads.) An Act for further improving the Road between London and Holyhead by Coventry, Birmingham, and Shrewsbury.
- 2 & 3 Vict. c. 80.
(Metropolis Improvements.) An Act to empower the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings to raise a Sum of Money for making additional Thoroughfares in the Metropolis.
- 3 & 4 Vict. c. 12.
(Metropolis Improvements.) An Act to enable Her Majesty's Commissioners of Woods to make a new Street from Coventry Street, Piccadilly, to Long Acre, and for other Improvements in the Metropolis.
- 3 & 4 Vict. c. 87.
(Metropolis Improvements.) An Act to enable Her Majesty's Commissioners of Woods, Forests, Land Revenues, Works, and Buildings to make additional Thoroughfares in the Metropolis.

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An Act to transfer to the Commissioners of Her Majesty's Woods and Works the several Powers now vested in the Commissioners for repairing the Line of Road from Shrewsbury in the County of Salop to Bangor Ferry in the County of Carnarvon; and to amend the London and Holyhead Road Acts, so far as relates to the Dunstable Road. 3 & 4 Vict. c. 104. (Holyhead Roads.)

An Act to enable Her Majesty's Commissioners of Woods to make a new Road from Coventry Street, Piccadilly, to Long Acre, and for other Improvements in the Metropolis. 4 & 5 Vict. c. 12. (Metropolis Improvements.)

An Act to empower the Commissioners of Her Majesty's Woods to raise Money for certain Improvements in the Metropolis on the Security of the Land Revenues of the Crown within the County of Middlesex and City of London. 4 & 5 Vict. c. 40. (Metropolis Improvements.)

An Act for regulating the Priorities of Monies authorized to be charged on a Fund called "The London Bridge Approaches Fund." 5 & 6 Vict. c. 64. (Metropolis Improvements.)

An Act to enlarge the Powers of an Act of the Fourth and Fifth Years of Her present Majesty empowering the Commissioners of Her Majesty's Woods to raise Money for certain Improvements in the Metropolis on the Security of the Land Revenues of the Crown within the County of Middlesex and City of London. 7 & 8 Vict. c. 1. (Metropolis Improvements.)

An Act to provide for the Care and Preservation of Trafalgar Square in the City of Westminster. 7 & 8 Vict. c. 60. (Trafalgar Square.)

An Act for regulating the Construction and the Use of Buildings in the Metropolis and its Neighbourhood. 7 & 8 Vict. c. 84. (Metropolitan Buildings Act.)

An Act for amending the Acts relating to the Street leading to Clerkenwell Green; and for extending such Street, and making new Streets out of the same. 8 & 9 Vict. c. 17. (Metropolis Improvements, Clerkenwell.)

An Act to facilitate the Completion of a Geological Survey of Great Britain and Ireland, under the Direction of the First Commissioner for the Time being of Her Majesty's Woods and Works. 8 & 9 Vict. c. 63. (Geological Survey.)

An Act to enable the Commissioners of Her Majesty's Woods and Works to apply certain Monies now in their Hands towards discharging the Incumbrances affecting the Shrewsbury and Holyhead Roads. 8 & 9 Vict. c. 75. (Holyhead Roads.)

An Act for improving Parts of the City of Westminster. 8 & 9 Vict. c. 178. (Westminster Improvements.)

An Act to amend an Act for regulating the Construction and Use of Buildings in the Metropolis and its Neighbourhood. 9 & 10 Vict. c. 5. (Metropolitan Buildings Act.)

An Act to enable the Commissioners of Her Majesty's Woods to construct a new Street from Spitalfields to Shoreditch. 9 & 10 Vict. c. 34. (Spitalfields Improvements.)

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9 & 10 Vict. c. 38.
(Battersea Park.)

An Act to empower the Commissioners of Her Majesty's Woods to form a Royal Park in Battersea Fields in the County of Surrey.

9 & 10 Vict. c. 39.
(Battersea Bridge and
Chelsea Improve-
ments.)

An Act to enable the Commissioners of Her Majesty's Woods to construct an Embankment and Roadway on the North Shore of the River Thames from Battersea Bridge to Vauxhall Bridge, and to build a Suspension Bridge over the said River at or near Chelsea Hospital, with suitable Approaches thereto, including a Street from Lower Sloane Street to the Northern Extremity of the Bridge.

9 & 10 Vict. c. 106.
(Preliminary In-
quiries.)

An Act for making preliminary Inquiries in certain Cases of Applications for Local Acts.

10 & 11 Vict. c. 24.
(Portland Harbour.)

An Act to empower the Commissioners of Her Majesty's Woods to purchase Land for the Purposes of a Harbour of Refuge and Breakwater in the Isle of Portland in the County of Dorset.

10 & 11 Vict. c. 76.
(Holyhead Harbour.)

An Act to empower the Commissioners of Her Majesty's Woods to purchase Lands for the Purpose of a Harbour of Refuge at or near Holyhead in the County of Anglesea.

10 & 11 Vict. c. 210.
(Westminster Im-
provements.)

An Act to amend and enlarge the Powers and Provisions of the Westminster Improvement Act, 1845, and to authorize the Application of certain Rates in aid of the Improvements.

11 & 12 Vict. c. 53.
(Windsor.)

An Act to empower the Commissioners of Her Majesty's Woods to make certain Alterations and Improvements in the Approaches to the Castle and Town of Windsor.

11 & 12 Vict. c. 102.
(Battersea Park.)

An Act to enlarge the Powers of an Act empowering the Commissioners of Her Majesty's Woods to form a Royal Park in Battersea Fields, to facilitate the raising of Monies authorized to be raised by the said Commissioners for Metropolitan Improvements, and to regulate and simplify the Mode of keeping the Accounts of the Commissioners of Her Majesty's Woods.

11 & 12 Vict. c. 124.
(London Bridge
Approaches Fund.)

An Act to amend an Act of the last Session for varying the Priorities of the Charges made on "The London Bridge Approaches Fund," and to facilitate the Completion of certain Improvements in the City of Westminster.

11 & 12 Vict. c. 129.
(Preliminary In-
quiries.)

An Act for amending an Act passed in the Ninth and Tenth Years of Her present Majesty for making preliminary Inquiries in certain Cases of Applications for Local Acts.

Woods, Forests, &c.

A

B I L L

To make better Provision for the Management of the Woods, Forests, and Land Revenues of the Crown, and for the Direction of Public Works and Buildings.

(Prepared and brought in by
*Lord John Russell, The Chancellor of the Exchequer,
and Mr. Hayter.*)

*Ordered, by The House of Commons, to be Printed,
22 February 1850.*

77.

Under 3 oz.



